

**LACEY MUNICIPAL UTILITIES AUTHORITY
REORGANIZATION AND REGULAR MEETING
FEBRUARY 3, 2016**

Pledge of Allegiance

ROLL CALL

The Reorganization and Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, February 3, 2016 and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Richard Kennedy, Arthur Miklosey, Jack Nosti, Ralph Lanuto, and Paul DeNicola. Also present were Chris Dasti, attorney; Frank Holman, auditor; Alan Dittenhofer, engineer; Deborah Kramer, office manager, and Edward A. Woolf, executive director. Nick Juliano, Lacey MUA/Township Committee liaison also attended the meeting.

**“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.

REORGANIZATION

Chairman – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to appoint James Knoeller as Authority Chairman. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Abstain. Motion passed.

Vice Chairman – A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to appoint Michael Masciale as Authority Vice Chairman. Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Abstain; Knoeller-Yes. Motion passed.

Secretary – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to appoint Richard Kennedy as Authority Secretary. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Abstain; Knoeller-Yes. Motion passed.

Treasurer – A motion was made by Mr. Kennedy and seconded by Mr. Masciale to appoint Arthur Miklosey as Authority Treasurer. Roll call vote: Kennedy-Yes; Masciale-Yes; Nosti-Yes; Miklosey-Abstain; Knoeller-Yes. Motion passed.

**COMMITTEE
APPOINTMENTS**

Mr. Knoeller stated the Committee Appointments would be discussed at the next meeting.

A motion was made by Mr. Nosti and seconded by Mr. Miklosey to change the Board Meeting start time from 7:00 p.m. to 6:30 p.m. Roll call vote: Nosti-Yes; Miklosey-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-08 - AUTHORIZE REGULAR MEETING SCHEDULE

A motion was made by Mr. Nosti and seconded by Mr. Miklosey to adopt *Resolution No. 2016-08, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Regular Meeting Schedule*. Roll call vote: Nosti-Yes; Miklosey-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**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. 2016-09 - APPOINT ENGINEER - REMINGTON, VERNICK AND VENA ENGINEERS

- A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2016-09, 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: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-10 – APPOINT ATTORNEY – JERRY J. DASTI OF THE FIRM DASTI, MURPHY, MCGUCKIN, ULAKY, KOUTSOURIS & CONNORS, P.C.

– A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2016-10, 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, Koutsouris & Connors as Authority Attorney*. Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-11 – APPOINT AUDITOR – FRANK B. HOLMAN OF THE FIRM HOLMAN, FRENIA & ALLISON, PC

– A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2016-11, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Frank B. Holman, III, of the Firm Holman, Frenia, & Allison P.C as Authority Auditor*. Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-12 – APPOINT CONFLICT ATTORNEY – RICHARD D. MEINDERS, P.C. – A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution No. 2016-12, 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; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-13 – APPOINT LABOR COUNSEL – JERRY J. DASTI OF THE FIRM DASTI, MURPHY, ULAKY, KOUTSOURIS & CONNORS – A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2016-13, 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, Koutsouris & Connors, P.C. as Authority Labor Counsel.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-23 – APPOINT BOND COUNSEL - GLUCK WALRATH, LLP – A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution No. 2016-23, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Gluck Walrath, LLP as Authority Bond Counsel.* Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-14 – APPOINT RISK MANAGEMENT CONSULTANT CONNOR STRONG COMPANIES, INC. – A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2016-14, 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; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

RESOLUTION NO. 2016-15 – APPOINT PUBLIC AGENCY COMPLIANCE OFFICER – EDWARD A. WOOLF - A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution No. 2016-15, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Edward A. Woolf as Public Agency Compliance Officer, P.L. 1975, c. 127.* Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-16 – APPOINT PERSONNEL OFFICER – EDWARD A. WOOLF – A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution No. 2016-16, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Edward A. Woolf as Personnel Officer.* Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-17 – APPOINT FUND COMMISSIONERS AND ALTERNATE FUND COMMISSIONER TO THE NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND – A motion was made by Mr. Kennedy and seconded by Mr. Nosti to adopt *Resolution No. 2016-17, 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: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-18 – APPOINT COMPANY PHYSICIAN – FORKED RIVER MEDICAL SPECIALISTS, P.A. – A motion was made by Mr. Nosti and seconded by Mr. Miklosey to adopt *Resolution No. 2016-18, 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: Nosti-Yes; Miklosey-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2016-19 – APPOINT COMPUTER CONSULTANT – CSI COMPUTERS – A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2016-19, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing CSI Consultants Computer Consultant.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

APPROVAL OF MINUTES

Regular Meeting of January 6, 2016 - A motion was made by Mr. Nosti and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of January 6, 2016. Roll call vote: Nosti-Yes; Miklosey-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

EXECUTIVE DIRECTOR'S REPORT

Cash Balance Report - Period Ending December 31, 2015 - Mr. Woolf summarized the cash balances for period ending December 31, 2015 as follows: Total cash balance for the unrestricted accounts were \$7,775,924.03, with earnings of \$8,088.44. Total cash balance for the restricted accounts held by the trustee were \$3,554,910.03, with earnings of \$4,644.05. Current period interest on the restricted and unrestricted accounts was \$12,732.49. Year-to-date earnings on all interest bearing accounts were \$59,416.81.

Resolution 2016-25 – Transfer of Funds – 2016 Sewer and Water Budget – Mr. Woolf stated the Authority had allocated money in the 2016 budget to have the garage painted. Since there was excess money to have this completed in the 2015, those funds will be transferred into the 2016 budget to purchase needed equipment. On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2016-25, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Transfer of Funds, 2016 Sewer and Water Budget.* Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Resolution 2016-20 – Award Contract for Supply of Water Treatment Chemical Supplies for 2016 - On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution 2016-20, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for Supply of Water Treatment Chemical Supplies for 2016.* Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2016-21 – Cooperative Pricing Program – Middlesex Regional Educational Services – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt *Resolution 2016-21, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Execution of Member Participation with Middlesex Regional Education Services Commission Concerning a Cooperative Pricing Program*. Roll call vote: Masciale-Yes; Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Ford Transit Connect – Mr. Woolf requested authorization to purchase a 2016 Ford Transit Connect XL van in the amount of \$20,157.00. This vehicle will be replacing an existing vehicle, which will be retired. Mr. Knoeller stated the Lacey Food Bank may be interested in the retired vehicle. A motion was made by Mr. Masciale and seconded by Mr. Miklosey authorizing the purchase of 2016 Ford Transit Connect XL van. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**BUSINESS
REPORT**

The business report was submitted for review.

**ENGINEER'S
REPORT**

Resolution 2016-24 – Preliminary and Tentative Sewer and Water Approval – Lacey Family Apartments Phase II – Mr. Dittenhofer stated his office received the application and plans for preliminary and tentative sewer and water approval for Lacey Family Apartments Phase II, Block 1837.01, Lots 3.01, 4.02, 8.03 & 8.04. The applicant is proposing to construct Phase II of the Lacey Family Apartments consisting of six (6) buildings containing a total of eight (8) one bedroom apartments, 28 two bedroom apartments and twelve (12) three bedroom apartments on the south side of Calvin Street. The applicant proposes to construct a water main loop through the property between Municipal Lane and Calvin Street to service the easement on the property and install additional on-site main to service the buildings.

Mr. Woolf stated during the original approval of the first phase of the project, the Authority is requiring the applicant to install a comminutor. The applicant's engineer is requesting that the installation of the comminutor be done during phase II of their project. Mr. Dittenhofer stated he does not see the benefit in pushing off the comminutor to the Phase II portion of the project. Mr. Knoeller was not in agreement with the applicant's request. The Board concurred. On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2016-24, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary & Tentative Sewer and Water Approval, Lacey Family Apartments Phase II, Block 1837.01, Lots 3.01, 4.02, 8.03 & 8.04*. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

HMPG Generators – Mr. Dittenhofer stated electrical work is ongoing. Generators to be tentatively delivered the first week of March.

Water Treatment Plant No. 1 Upgrades – Mr. Dittenhofer stated he received confirmation from JCP&L that the power will be turned on tomorrow.

Bee Street Water and Sewer Extension - Mr. Dittenhofer stated permit application is being filed with the NJDEP.

Center Street Water and Sewer Extension – Mr. Dittenhofer stated permit application is being filed with the NJDEP.

Bayonne Avenue Paving – Mr. Dittenhofer stated revised plans and cost estimates are being prepared.

ATTORNEY'S REPORT

LMUA Water Meter Installation – Mr. Dasti stated correspondence concerning contractual issues by RV&V to HD Supply Waterworks have been reviewed. His office will continue to review this matter to address any future issues.

530 Lacey Road, LLC – Mr. Dasti stated his office reviewed correspondence from RV&V to the contractor involving issues because the property is in the wellhead protection area.

Rate Hearing – Mr. Dasti stated his office reviewed the transcripts of the Rate Hearing.

Water Treatment Chemical Supplies 2016 – Mr. Dasti stated his office reviewed the bid documentation concerning the award of the bids.

Water Extension Projects - Mr. Dasti stated Mr. Quinn is attempting to set up a meeting with representatives of Exelon to discuss the extension of a water main to the Exelon property.

Road Improvements – Mr. Knoeller referenced Mr. Dasti's letter regarding the Authority's ability to improve unimproved lots and assessing a levy or assessment against the property owner. He asked Mr. Dasti to contact the appropriate Township officials to possibly work jointly on this project. The Township can have the added assessment and the Authority can pick up the connection fees. Improvements can get done and the Authority will get money back to cover those improvements and ultimately pick up new customers.

AUDITOR'S REPORT

Accountant's Status Report – Month Ended December 31, 2015 – Mr. Holman reported user charges on sewer resulted in a favorable variance for the month and year to date. User charges on water resulted in an unfavorable variance for the month, but a favorable variance year to date. Delinquency charges had a year to date favorable variance on both water and sewer. Interest income had a favorable variance on sewer, but unfavorable on water.

Mr. Holman stated Mr. Masciale pointed out that for the month of December water usage did not look correct in the budgeted amount. However, the year to date amount was accurate. He will review these figures. Mr. Masciale stated he is concerned about

the connection fees versus the actual user charges. The potential loss in the water usage needs to be addressed.

Mr. Holman stated the Authority can anticipate an OCUA credit of \$97,384 through the month of December.

CORRESPONDENCE

Maureen Kudlacik, Nautilus Blvd. – Requesting relief of utility bill, due outside pipe leak. Since the water from the leak 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 \$130.60 (51,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Nosti-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

Mr. Miklosey congratulated Mrs. Kramer on her marriage.

PUBLIC BUSINESS/ COMMENT

Regina Discenza, Sunset Drive – Mrs. Discenza asked if Home Depot has been complying with the snow removal process. Mr. Knoeller stated they are in compliance, and are not using salt.

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 matters will be made public once these matters have been resolved.
4. This resolution shall take effect immediately.

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

Separate minutes were kept on the above closed session.

Mrs. Kramer and Ms. Kennedy were excused from this portion of the meeting.

**RE-OPEN
MEETING**

A motion was made and seconded to return to open session. Motion unanimously carried.

**OTHER
BUSINESS**

LMUA Board Stipend - A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to authorize an increase in the LMUA Board of Commissioner's yearly stipend to an additional \$600.00. Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**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 \$244,295.65 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. Nosti and seconded by Mr. Miklosey to adopt the above resolution. Roll call vote: Nosti-Yes; Miklosey-Yes; Kennedy-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

