

**LACEY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
APRIL 5, 2017**

Pledge of Allegiance

**ROLL CALL**

The Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, April 5, 2017 and was called to order at 6:30 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Jack Nosti, Arthur Miklosey, Ralph Lanuto, Alan Baker and Paul DeNicola. Also present were Chris Connors, attorney; Pam Hilla, engineer; Brian Waldron, auditor; Deborah Kramer, office manager, and Edward A. Woolf, executive 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 March 1, 2017** - A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of March 1, 2017. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Abstain; Knoeller-Yes. Motion passed.

**Closed Session Meeting of March 1, 2017** - A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the Closed Session minutes of the Regular Meeting of March 1, 2017. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Abstain; Knoeller-Yes. Motion passed.

**EXECUTIVE  
DIRECTOR’S  
REPORT**

**Cash Balance Report - Period Ending February 28, 2017** - Mr. Woolf summarized the cash balances for period ending February 28, 2017 as follows: Total cash balance for the unrestricted accounts were \$9,125,406.17, with earnings of \$4,082.02. Total cash balance for the restricted accounts held by the trustee were \$4,704,427.31, with earnings of \$4,254.20. Current period interest on the restricted and unrestricted accounts was \$8,336.22. Year-to-date earnings on all interest bearing accounts were \$16,085.40.

**Resolution 2017-29 – Award Contract – Fairview Avenue Sanitary Improvements -**

On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2017-29, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding a Contract for Fairview Avenue Sanitary Improvements Project to Earle Asphalt Co., in the amount of \$363,813.13.* Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed. Mr. Knoeller asked Mr. Woolf and RV&V to contact Casey Parker to discuss road restoration for the section that will be disturbed.

**BUSINESS  
REPORT**

The business report was submitted for review.

**ENGINEER'S  
REPORT**

**Fairview Lane Sanitary Sewer Improvements** – Ms. Hilla stated the bid opening was held March 28<sup>th</sup>. Their office recommended awarding the contract to lowest bidder, Earle Asphalt Company in the amount of \$363,813.13.

**ATTORNEY'S  
REPORT**

**Calvin Street Added Assessment** – Mr. Connors stated this matter has been put on hold.

**Professional Contracts 2017** – Mr. Connors stated his office reviewed contracts submitted by the Authority's Professional Staff and have made recommendations where appropriate.

**Legal Opinions** – Mr. Connors provided to the Authority for consideration a synopsis of the recent Court decision regarding Kane University and the need for expanded Rice Notices.

**AUDITOR'S  
REPORT**

**Accountant's Status Report – Month Ended February 28, 2017** – Mr. Waldron reported sewer and water revenues had an unfavorable variance for the month and year to date. Sewer and water expenses had a favorable variance for the month and year to date. User charges on both sewer and water had an unfavorable variance for the month and year to date.

**CORRESPONDENCE**

**Stephen Calabro, Fairview Lane** – Requesting relief of utility bill, due to leaky outside hose bib. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$200.06 (39,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Mr. & Mrs. Verone, Holmes Ave.** – Requesting relief of utility bill, due to leaky outside hose bib. Since the water from the leak 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 sewer charges in the amount of \$112.26 (14,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Tony's General Merchandise, W. Lacey Road** - Requesting relief of utility bill, due to two underground leaks. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$4,103.90 (534,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Leslie Potts, Mercury Ct.** - Requesting relief of utility bill, due to leaky hot water heater. Since the water from the leak 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 sewer charges in the amount of \$59.44 (27,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**OLD  
BUSINESS**

**Professional Services Agreement – Holman, Frenia, Allison, P.C. – Authority Auditor** – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Holman, Frenia, Allison, P.C.

**Professional Services Agreement – Remington, Vernick, & Vena Engineers - Authority Engineer** – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Remington, Vernick & Vena Engineers.

**NEW  
BUSINESS**

There was no new business to discuss.

**PUBLIC BUSINESS/  
COMMENT**

**Nick Spaltro, Dunberry Drive (Sea Breeze at Lacey Development)** – Mr. Spaltro was present to again discuss the lack of water pressure issue he and other residents are having at the Seabreeze/Toll Brothers development. He stated there has been no improvements to the water pressure and is concerned that the pressure will deteriorate with new homes being built.

Mr. Spaltro stated he has 48 psi static pressure at his home. When he opens up the laundry tub it goes down to 38 psi. His kitchen sink has a cold water flow rate of .733 gpm, which is below normal. The plumber recommended installation of a booster pump at a cost of \$500.00. Mr. Spaltro stated this is unacceptable considering he is paying the LMUA a premium price for water service, which the community is not receiving.

Mr. Woolf explained the size of the tubing is the issue, which represents friction loss inside of the home due to the tubing, in this case PEX tubing. The difference between PEX tubing and copper tubing is that PEX tubing uses insert fittings which narrows the pipe. Fittings are external on copper tubing which does not narrow the pipe. Mr. Woolf had a piece of PEX tubing for demonstration.

Mr. Knoeller stated it is the developer's responsibility. Once the piping goes into the home, the LMUA has no control over what happens. The homes were designed by the developer and approved by the engineer at that elevation. It is a friction loss inside the home. Mr. Woolf added when the site was developed Toll Brothers was well aware of

the static pressure and elevation on that site. They sold homes with those plumbing fixtures and it is a matter between the homeowner and Toll Brothers. Mr. Spaltro stated the plumber indicated it is a water pressure issue. Additionally, Toll Brothers has discontinued using those plumbing fixture options for this community.

In conclusion, Mr. Woolf stated the developer's engineer designs the water distribution to the site and submit to the Authority for approval, which is reviewed by the Authority's engineer. The only things that are looked at on the plans are the water mains and size of service lines going to the house. The Authority is not made aware of what is going inside the home. Authority approval goes as far as the curb – anything after that is considered part of household plumbing.

Mr. Knoeller stated the Authority's engineer will share their reports showing the approval process if needed.

**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. Masciale and seconded by Mr. Lanuto 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 and seconded to return to open session. Motion unanimously carried.

**OTHER  
BUSINESS**

**Debra Cardullo** – A motion was made by Mr. Miklosey and seconded by Mr. Masciale authorizing salary increase of \$2,000.00 to Debra Cardullo retroactive to January 1, 2017.

Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-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 \$488,551.58 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. Lanuto to adopt the above Resolution. Roll call vote: Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. Knoeller asked Ms. Hilla of RV&V to follow-up with Toll Brothers with engineer's reports and the approval process.

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Michele Kennedy  
Executive Secretary