

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
OCTOBER 3, 2018**

Pledge of Allegiance

ROLL CALL

The Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, October 3, 2018 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; Alan Dittenhofer, engineer; Frank Holman, auditor; 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.

**APPROVAL
OF MINUTES**

Regular Meeting of September 5, 2018 - A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the minutes of the Regular Meeting of September 5, 2018. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Abstain; Nosti-Abstain; Knoeller-Yes. Motion passed.

Closed Session Meeting of September 5, 2018 - A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the minutes of the Closed Session Meeting of September 5, 2018. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Abstain; Nosti-Abstain; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending August 31, 2018 - Mr. Woolf summarized the cash balances for period ending August 31, 2018 as follows: Total cash balance for the unrestricted accounts were \$9,808,257.29, with earnings of \$8,149.25. Total cash balance for the restricted accounts held by the trustee were \$5,014,994.67, with earnings of \$7,815.53. Current period interest on the restricted and unrestricted accounts was \$15,964.78. Year-to-date earnings on all interest bearing accounts were \$122,493.48.

Resolution 2018-64 – Letter of No Interest – Barbara Sorrentino – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2018-64, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Letter of No Interest, Lot Consolidation and Minor Subdivision, Barbara Sorrentino, Block 944, Lots 14-18*. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

Resolution 2018-59 – Interlocal Agency Renewal Agreement with Township of Lacey and Lacey Township Board of Education – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Lanuto to adopt *Resolution 2018-59, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Execution of Interlocal Agency Renewal Agreement with the Township of Lacey and the Lacey Township Board of Education Concerning a Cooperative Pricing Program*. Roll call vote: Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2018-62 – Interlocal Services Agreement with Township of Lacey – Improvements to East Lacey Road – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2018-62, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Execution of an Interlocal Services Agreement with the Township of Lacey for Improvements to East Lacey Road*. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Abstain. Motion passed.

Resolution 2018-63 – Line Item Transfers – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Lanuto to adopt *Resolution 2018-63, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Transfer of Funds, 2018 Sewer and Water Budget*. Roll call vote: Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Proposed 2019 Sewer and Water Budget - Mr. Woolf stated the Finance Committee discussed and reviewed the 2019 sewer and water budgets in detail. He prepared and submitted the proposed budgets for the Commissioners review.

A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the 2019 water and sewer budgets. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

BUSINESS REPORT

The business report was submitted for review.

ENGINEER'S REPORT

Resolution 2018-60 – Tentative Sewer and Water Approvals – Route 9 Restaurants, Inc. – Mr. Dittenhofer reported his office received the applications and plans for tentative sewer and water approvals for Route 9 Restaurants, Inc., Block 225, Lot 2.01. The applicant is proposing to construct a restaurant with an associated 3,286 SF pavilion along the northern side of Taylor Lane, West of New Jersey Route 9. The applicant proposes to connect to the existing water main along Taylor Lane and install a

2" water service for the building. The applicant also proposes to connect to the existing sewer main located in the right-of-way of Route 9 and install a 6" sanitary lateral for the building. On recommendation by the Authority's engineer, a motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2018-60, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Tentative Sewer and Water Approval, Route 9 Restaurants, Inc., Block 225, Lot 2.01*. This approval is contingent upon applicant installing a separation tank. Roll call vote: Nosti-Yes; Masciale-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Abstain. Motion passed.

Resolution 2017-43 – Permit to Operate – Sewer and Water System – Harbor Run Major Subdivision – Phase I – Ridgemont Homes, Inc. – Mr. Dittenhofer reported the water and sewer system for Phase I has successfully passed the testing requirements, and all construction items are complete. Therefore, his office recommends a Permit to Operate the sewer and water system as outlined in their September 25, 2018 letter. A motion was made by Mr. Miklosey and seconded by Mr. Lanuto to adopt *Resolution 2018-61, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Permit to Operate, Sewer and Water System, Harbor Run Major Subdivision – Phase 1, Blocks 1721.01, 1727.02, Various Lots, Ridgemont Homes, Inc.* Roll call vote: Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

New Administration Building – Mr. Dittenhofer stated construction on the administration building is on-going. Construction of the sewer extension is complete.

ATTORNEY'S REPORT

Lacey MUA Administration Building – Mr. Connors stated his office finalized the transfer of title with representatives of the Township. The Consolidation Deed has been forwarded to the Ocean County Clerk for recording. That Deed will consolidate the garage property with the administration building property.

Hill Street Cellular Antenna Contract – Mr. Connors stated his office is finalizing the Lease Agreement which will serve as the basis for a request for bids from cellular companies. He anticipates that the notification will request responses in mid-October.

Public Employees relation Commission (PERC) – Mr. Connors stated PERC has instituted new regulations which are important in terms of relationship with employees. His office is reviewing these regulations and will provide a letter explaining those regulations to the Executive Director.

AUDITOR'S REPORT

Accountant's Status Report – Month Ended August 31, 2018 – Mr. Holman reported sewer and water revenues had a favorable variance for the month and year to date. Sewer and water expenses had a favorable variance for the month and year to date. Sewer and water user charges had an unfavorable variance for the month and year to date.

CORRESPONDENCE

Sam Graham, Chelsea St. – Mr. Graham was present requesting a payment plan on his water and sewer connection fees. Mr. Woolf explained Mr. Graham is building a house on Chelsea Street and was surprised to learn the cost of the connection fees. Mr. Holman explained the State requires the Authority to follow a statute, basically all of prior debt service that has been paid by all the customers previously, and any capital improvements that were made without bonding. Therefore, future customers have to pay a portion of that equity that has been created. A motion was made by Mr. Masciale and seconded by Mr. Nosti authorizing a 24 month payment plan for sewer and connection fees, with no interest. Roll call vote: Masciale-Yes; Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Yolanda Fragliossi, Grebe Court – Requesting relief of utility bill, due to pipe leak in crawl space. 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 \$422.04. Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Gino Caruso, N. Main St. – Requesting relief of utility bill, due to leaky 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 \$375.14 (73,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Jarrod Verge, Foxhollow Dr. – Requesting payment plan, due to high usage. Since the basis of high water usage was due to multiple events (toilet, refilling of pool, lawn irrigation) a waiver of the service charges could not be supported. A motion was made by Mr. Masciale and seconded by Mr. Nosti offering customer a payment plan to pay the past due balance on the account. Roll call vote: Masciale-Yes; Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Anthony Diflioro, Marine Rd. – Mr. Diflioro was present requesting relief of utility bill, due to irrigating lawn without a meter. 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 \$54.44 (22,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

Michael Cole, Baldwin Street – Mr. Cole was present requesting relief of utility bill, due to high usage. Mr. Knoeller asked Mr. Cole to submit a letter to the Authority requesting relief of his utility bill, which will be addressed at the November meeting.

OLD BUSINESS

Form of Contract – The Tab Group – Chairman Knoeller executed the contract between the Lacey Municipal Utilities Authority and The Tab Group for Administration Document Scanning.

Resolution 2018-55 – Appoint Troy Burton to Water Treatment and Supply Superintendent - Secretary Nosti executed Resolution memorializing action taken September 5, 2018.

Resolution 2018-56 – Appoint Darren Coraggio to Water Pollution Control Superintendent - Secretary Nosti executed Resolution memorializing action taken September 5, 2018.

**NEW
BUSINESS**

Mr. Nosti asked to go into closed session.

**PUBLIC
COMMENT**

There was no public comment.

**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 potential litigation and personnel matter.
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. Miklosey and seconded by Mr. Masciale to adopt the above resolution. Roll call vote: Unanimously approved.

Separate minutes were kept on the above closed session.

**REOPEN
MEETING**

**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 \$478,871.09 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. Masciale to adopt the above Resolution. Roll call vote: Miklosey-Yes; Masciale-Yes; Baker-Yes; Knoeller-Yes. Motion passed.

ADJOURNMENT There being no further business to discuss, the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary