

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
JULY 11, 2012**

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, July 11, 2012 and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Richard Kennedy, Nick Juliano, Jack Nosti and Ralph Lanuto. Also present were Jerry Dasti, attorney; Alan Dittenhofer, engineer; Felipe Contreras, engineer; Frank Holman, auditor; Edward A. Woolf, Executive Director, and Kathleen Barrett, Assistant Director.

**“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**

Special Meeting of June 15, 2012 - A motion was made by Mr. Masciale and seconded by Mr. Kennedy to approve the minutes of the Special Meeting of June 15, 2012. Roll call vote: Masciale-Yes; Kennedy-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

Regular Meeting of June 6, 2012 - A motion was made by Mr. Kennedy and seconded by Mr. Juliano to approve the minutes of the Regular Meeting of June 6, 2012. Roll call vote: Kennedy-Yes; Juliano-Yes; Nosti-Yes; Masciale-Abstain; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending May 31, 2012 - Mr. Woolf summarized the cash balances for period ending May 31, 2012 as follows: Total cash balance for the unrestricted accounts were \$3,581,229.15, with earnings of \$1,325.51. Total cash balance for the restricted accounts held by the trustee were \$6,226,388.21, with earnings of \$5,159.74. Current period interest on the restricted and unrestricted accounts was \$6,485.25. Year-to-date earnings on all interest bearing accounts were \$27,752.08.

Resolution 2012-35 – Review of Findings of Local Finance Board – On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to adopt *Resolution 2012-35, Resolution of the Lacey*

Municipal Utilities Authority, County of Ocean, State of New Jersey, Concerning Review of the Findings of the Local Finance Board Made at a Meeting of Said Board on April 11, 2012, In Accordance with the Provisions of N.J.S.A. 40A:5A-7. Roll call vote: Kennedy-Yes; Masciale-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

Resolution 2012-38 – Authorizing Loan From Sewer Utility to Water Utility of the Lacey Municipal Utilities Authority - On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt *Resolution 2012-38, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing a Loan from the Sewer Utility to the Water Utility of the Lacey Municipal Utilities Authority.* Roll call vote: Masciale-Yes; Kennedy-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed. Mr. Woolf stated these funds would be used for the Water Treatment Plant No. 1 expansion project.

Crown Castle Lease Agreement – Mr. Dasti suggested this issue be discussed in closed session.

BUSINESS REPORT

June Meter Reads – Ms. Barrett reported 4,414 meters were read in June for Cycles 1, 4 and 9. Seventy-nine work orders were cut to obtain manual reads not obtained during regular meter read routes. Seven reads were questioned for high usage. Two customers were contacted by phone and five customers were sent letters.

July Billing – Ms. Barrett reported utility bills were mailed on July 5th in the amount of \$1,058,534.19. Penalties were assessed on 3,440 past due accounts (all cycles) in the amount of \$19,355.16 for a total billing in July of \$1,077,889.35.

Customer Service – Ms. Barrett reported forty-four new customer welcome letters were mailed in May, and eleven responses were received in June. Fifty-three final reads with equipment inspections were performed in June with no violations.

ENGINEER'S REPORT

Resolution 2012-37 – Preliminary Sewer and Water Approval – Stueber Minor Subdivision - Mr. Dittenhofer reported his office received the application and plans for preliminary sewer and water approval for Stueber Minor Subdivision, Block 315, Lot 34. The applicant is proposing to construct a two (2) lot minor subdivision on the northeast side of Jones Road, south of Renee Court. An existing two-story frame dwelling is located on site. The applicant proposes to connect to the existing sewer main located in Jones Road and install a sanitary lateral for the new lot. The applicants also propose to connect to the existing water main in Jones Road and install a water service for the new lot. On recommendation by the Authority's engineer, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to adopt *Resolution 2012-37, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Sewer and Water Approval, Stueber Minor Subdivision, Block 315, Lot 34.* Roll call vote: Kennedy-Yes; Masciale-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

Water Treatment Plant No. 1 Upgrades – Mr. Dittenhofer stated this project was awarded June 15th. The contract documents have been prepared and were forwarded to the contractor.

Cleaning and Televising Contract No 7 – Mr. Dittenhofer stated a repair list was sent to the contractor, and are scheduled to begin July 9th.

S-2 and FRB-2 Pump Station Hydraulic Comminutor – Mr. Dittenhofer stated plans and specifications have been sent to the Authority for review.

ATTORNEY'S REPORT

Sea Breeze/Toll Brothers – Mr. Dasti suggested this issue be discussed in closed session.

OceanFirst Financing – Mr. Dasti stated the Closing has been completed and all necessary funds have been disbursed.

AUDITOR'S REPORT

Accountant's Status Report – Month Ended May 31, 2012 – Mr. Holman reported sewer user charges had a favorable variance for May, however, unfavorable year to date. Water user charges had a year to date unfavorable variance. Delinquency charges had a favorable variance on both water and sewer. Revenues are unfavorable on water and sewer.

CORRESPONDENCE

Kathleen Burke, Brentwood Place - Requesting relief of utility bill, due to filling pool without pool-fill meter. Due to the customer's circumstance, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a credit adjustment of \$17.63 (9,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Hausser, Constitution Drive – Requesting relief of utility bill, due to filling pool without pool-fill meter. Based upon the information provided, the Board was unable to grant a pool-fill credit. Customer will be advised that pool-fill credits are only issued with the use of a pool-fill meter.

Nancy Sobeck, Windsor Street – Requesting relief of utility bill, due to filling pool without pool-fill meter. Based upon the information provided, the Board was unable to grant a pool-fill credit. Customer will be advised that pool-fill credits are only issued with the use of a pool-fill meter.

Joanne Daniels, Brookdale Drive – Ms. Daniels is requesting removal of emergency service call charges for water turn off during non-business hours. After consideration of this request, the Board was unable to waive the emergency service charges.

Assist 2 Sell/Christa Dittrich, South Street – On behalf of Assist 2 Sell, Ms. Dittrich is requesting a payment plan on utility bill. After consideration of this request, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a payment plan for the October 2011 and January 2012 utility bills. Roll call vote: Kennedy-Yes; Nosti-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. Woolf asked for clarification regarding customers requesting pool-fill credits. Mr. Masciale stated the Authority would no longer be granting pool-fill credits to customers without a pool-fill meter.

**OLD
BUSINESS**

Resolution 2012-36 – Memorialize Action Taken at June 6th Board Meeting - Authorize Executive Director to Review Customer Correspondence and Provide Relief for Billing Disputes – Secretary Kennedy executed *Resolution 2012-36, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Executive Director to review customer correspondence and provide relief for billing disputes.*

Brown Advisory – Mr. Knoeller recommended this issue be reviewed with the Finance Committee.

**NEW
BUSINESS**

There was no new business to discuss.

**PUBLIC BUSINESS/
COMMENT**

There was no public business/comments.

**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 \$216,385.72 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. Masciale and seconded by Mr. Nosti to adopt the above resolution. Roll call vote: Masciale-Yes; Nosti-Yes; Juliano-Yes, but abstains on South Jersey Auto Supply; Kennedy-Yes; Knoeller-Yes. Motion passed.

**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, contractual matters, and potential litigation.

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. Nosti and seconded by Mr. Kennedy authorizing a salary increase of \$3,700 to Troy Burton. This increase is a result of Mr. Burton obtaining the NJDEP T2 Water Treatment Plant and W2 Water Distribution System Operators licenses. Roll call vote: Nosti-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
Secretary

