

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
NOVEMBER 6, 2013**

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, November 6, 2013 and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Richard Kennedy, Arthur Miklosey, and Jack Nosti. Also present were Jerry Dasti, Esq, attorney; Rodney Haines, auditor; Alan Dittenhofer, engineer; Felipe Contreras, engineer and Edward A. Woolf, Executive 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 September 19, 2013 – A motion was made by Mr. Masciale and seconded by Mr. Kennedy to approve the minutes of the Special Meeting of September 19, 2013. Roll call vote: Masciale-Yes; Kennedy-; Nosti-Yes; Miklosey-Yes; Knoeller-Abstain. Motion passed.

Regular Meeting of October 2, 2013 – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of October 2, 2013. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending September 30, 2013 - Mr. Woolf summarized the cash balances for period ending September 30, 2013 as follows: Total cash balance for the unrestricted accounts were \$6,111,319.32, with earnings of \$926.24. Total cash balance for the restricted accounts held by the trustee were \$5,580,259.17, with earnings of \$1,276.49. Current period interest on the restricted and unrestricted accounts was \$2,202.73. Year-to-date earnings on all interest bearing accounts were \$41,458.30.

Mr. Woolf stated he and Mr. Miklosey have reviewed Acacia Financials performance and it has become evident they have performed unsatisfactory as the Authority's investment manager. A finance committee meeting will be scheduled to discuss this issue further.

F-250 Pickup and F-250 Utility Truck – Mr. Woolf stated the LMUA has an F-250 pickup and an F-250 utility truck that are inoperable and are in need of major repairs. Casey Parker has requested to have them turned over to the Department of Public Works in lieu of putting them up for sale at public auction. A motion was made by Mr. Masciale and seconded by Mr. Miklosey authorizing the release of the aforementioned vehicles to the Township of Lacey Department of Public Works. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Resolution 2013-64 – Wire Transfer Approvals – Hudson City Savings Bank - On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2013-64, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing the Executive Director to Execute all Necessary Wire Transfer Approvals on behalf of the Lacey Municipal Utilities Authority with Hudson City Savings Bank.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2013-65 – Award Contract Extension for Pump Maintenance and Repair - On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2013-65, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract Extension on the 2012 Pump Maintenance and Repair Project to Motors and Drives, Inc., T/A Best Electric Motors.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2013-70 – Transfer of Funds 2013 Sewer and Water Budget – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt *Resolution 2013-70, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Transfer of Funds, 2013 Sewer and Water Budget.* Roll call vote: Masciale-Yes; Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Resolution 2013-71 – Rejecting Bids – Cleaning and Televising Sewer Contract No. 8 – Mr. Woolf stated bids submitted for this project exceeded the budgeted amount, therefore, the Authority was unable to award the bid. Mr. Contreras explained the main reason the bids were high is that the work is in high demand now due to the storm. Mr. Knoeller asked Mr. Woolf to speak with representatives from Brick Township to see what their prices are. On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution 2013-71, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Rejecting all Bids for Cleaning and Televising Sewer Contract No. 8.* Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2013-72 – Review of Findings of Local Finance Board – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2013-72, Resolution of the Lacey Municipal Utilities Authority, Concerning Review of the Findings of the Local Finance Board made at a Meeting of Said Board on September 11, 2013 in Accordance with the Provisions of N.J.S.A. 40A:5A-7.* 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**

Change Order No. 3 – Water Treatment Plant No. 1 Upgrades – TKT Construction

Mr. Contreras stated Change Order No. 3 has been revised to reflect the removal of charges for the stone and the fence from the original change order for a decrease of \$10,000.00. On recommendation by the engineer, a motion was made by Mr. Miklosey and seconded by Mr. Nosti to approve Change Order No. 3, representing controls, valves, piping & chemical pump adjustments for a net contract increase of \$70,900.78. Roll call vote: Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Change Order No. 2 – Water Treatment Plant No. 1 Upgrades – TKT Construction

Mr. Contreras stated he compared pricing for the roofing shingles as part of Change Order No. 2 that was put on hold. He stated price comparison was \$1,400.00 cheaper, therefore, he requested the Board to approve the roofing charges as part of Change Order No. 2. A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the roofing as part of Change Order No. 2. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Change Order No. 4 – Water Treatment Plant No. 1 Upgrades – TKT Construction

On recommendation by the Authority's engineer, a motion was made by Mr. Nosti and seconded by Mr. Kennedy to approve Change Order No. 4, representing a one hundred seventy eight (178) day time extension for a revised project completion date of January 1, 2014. Roll call vote: Nosti-Yes; Kennedy-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Installation of Hydraulic Grinder at Parkers Point and L-4 Pump Station

– Mr. Dittenhofer stated his office reviewed and approved the shop drawings and submittals. Currently waiting for the equipment to be delivered.

Cleaning & Televising Contract No. 8 – Mr. Dittenhofer stated the cost exceeded the budgeted amount, therefore, the contract was not awarded.

Decommissioning of Brookdale Wells No. 1 & No. 2 – Mr. Contreras stated a site visit was completed to determine the possibility of demolishing the plant. A site plan was prepared for the Board's review showing the lot in question.

Mr. Knoeller stated if the building is demolished, the land can possibly be put up for sale to the adjoining homeowners. If they are not interested, it could be a buildable lot. Mr. Dasti stated he would have to find out if the land is part of the Pheasant Run property. Mr. Knoeller asked what it would cost to demolish the building. Mr. Dittenhofer stated approximately \$20,000.00. Mr. Knoeller asked Mr. Dittenhofer to prepare a cost estimate associated with making the lot a vacant lot. He asked Mr. Dasti to determine if the land is part of the deed restriction and well as finding out what it would be appraised at.

Mr. Masciale asked for the operating status on Wells 7 & 8. Mr. Dittenhofer stated the start up for Well No. 7 is scheduled for Tuesday. At that time, the State would be contacted and testing will begin. Once the test results are received, Well No. 7 can go on-line. He anticipates having Well No. 7 on-line in 45 days. Regarding Well No. 8, Mr. Dittenhofer stated the power company still has to run the power line. Well No. 8 can be run with a generator if necessary. Mr. Masciale asked once Well No. 7 is on-line, what is the retention with Well No. 8. Mr. Dittenhofer stated Well No. 8 is the backup for Well No. 7. Mr. Woolf stated the wells will be alternated once commercial power is obtained.

ATTORNEY'S REPORT

Resolution 2013-66 – Easement Agreement with Township of Lacey – Assignment of Easement Agreement to Crown Castle – On recommendation by the authority's attorney, a motion was made by Mr. Miklosey and seconded by Mr. Nosti to adopt *Resolution 2013-66, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Execution of an Easement Agreement with the Township of Lacey and Authorizing an Assignment of the Easement Agreement to Crown Castle.* Roll call vote: Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Bond Refunding – Mr. Dasti stated the sewer and water bond refunding has been completed, and substantial savings were achieved by the Authority for the benefit of the ratepayers.

AUDITOR'S REPORT

The September 30, 2013 auditor's report was submitted for review. Mr. Haines informed Mr. Miklosey the issue regarding the July OCUA information would be addressed at the next meeting.

Mr. Knoeller stated through the month of September the Authority's estimated usage from the OCUA exceeded actual usage by 10.134 million gallons. Therefore, the Authority can anticipate a credit of \$39,340.00 through the month of September. He stated the OCUA should be providing the Authority with actual meter reading numbers every month. Mr. Woolf stated they only provide what the flows are on a monthly basis. Mr. Knoeller asked Mr. Woolf to contact the OCUA and request they provide the Authority with actual meter reading numbers for each meter.

CORRESPONDENCE

Mr. & Mrs. O'Shea – Requesting relief of utility bill, due to watering lawn without irrigation meter. Based upon the available information, a waiver of a portion of the charges could not be supported.

Martin O'Donnell – Requesting relief of utility bill, due to filling pool without pool fill meter. Based upon the available information, a waiver of a portion of the charges could not be supported.

James DiBarba - Requesting relief of utility bill, due to filling pool without pool fill meter. Due to extenuating circumstances, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to grant a credit adjustment in the amount of \$42.00 (10,000

gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Nosti-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Theresa Brennan - Requesting relief of utility bill, due to filling pool without pool fill meter. Since the filling of the pool was storm related, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a credit adjustment in the amount of \$204.00 (30,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Abstain; Knoeller-Yes. Motion passed.

**OLD
BUSINESS**

There was no old business to discuss.

**NEW
BUSINESS**

There was no new business to discuss.

**PUBLIC BUSINESS/
COMMENT**

Regina Discenza, Sunset Drive – Mrs. Discenza suggested the Authority remind Home Depot that no salt is to be used for snow melting purposes. Mr. Knoeller asked Mr. Woolf to send Home Depot a memo to this regard.

**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 \$437,980.49 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. Nosti and seconded by Mr. Kennedy to adopt the above resolution. Roll call vote: Nosti-Yes; Kennedy-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary

