

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
SEPTEMBER 4, 2013**

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, September 4, 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, Nick Juliano, Jack Nosti and Ralph Lanuto. Also present were Jerry Dasti, Esq, attorney; Frank Holman, auditor; Alan Dittenhofer, engineer; Felipe Contreras, engineer and Edward A. Woolf, Executive Director. Mark Dykoff, Lacey MUA/Township Committee Liaison, also attended the meeting.

**“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**

Regular Meeting of August 7, 2013 – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of August 7, 2013. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR’S
REPORT**

Cash Balance Report - Period Ending July 31, 2013 - Mr. Woolf summarized the cash balances for period ending July 31, 2013 as follows: Total cash balance for the unrestricted accounts were \$5,763,684.89, with earnings of \$923.76. Total cash balance for the restricted accounts held by the trustee were \$6,339,844.50, with earnings of \$7,274.41. Current period interest on the restricted and unrestricted accounts was \$8,198.17. Year-to-date earnings on all interest bearing accounts were \$36,950.36.

Resolution 2013-57 – Interlocal Agency Renewal – Cooperative Pricing Program
On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2013-57, 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: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes.
Motion passed.

BUSINESS REPORT

The business report was submitted for review. The MUAA dinner/meeting will be held on Thursday, September 12, 2013.

ENGINEER'S REPORT

Resolution 2013-58 – Preliminary Sewer and Water Approval – Ronald Karchik Subdivision – Mr. Dittenhofer reported his office received the application and plans for preliminary sewer and water approval for Ronald Karchik Subdivision, Block 1308, Lots 5-9. The applicant is proposing to construct a two (2) lot minor subdivision on the west side of Hollywood Drive, between Parkside Drive and Pineview Road. An existing one story dwelling is located on the property. The applicant proposes to connect to the existing water main in Hollywood Drive and install one (1) new water service. The applicant also proposes to connect to the existing sanitary sewer main in Hollywood Drive and install one (1) new sanitary lateral. The existing dwelling has service from the water and sewer mains located in Hollywood Drive. On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2013-58, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Sewer and Water Approval, Letter of No Interest, Ronald Karchik Subdivision, Block 1308, Lots 5-9*. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Water Treatment Plant No. 1 Upgrades - Mr. Dittenhofer stated the anticipated completion date for Well No. 7 to go on-line is September 30th. He pointed out Well No. 8 is not included, since JCP&L is to complete installation of the utility poles. Mr. Knoeller pointed out that the work site is a mess and requests the contractor clean the site as soon as possible.

Mr. Knoeller asked if it is the contractor's responsibility for landscaping at this site. Mr. Dittenhofer stated the contract references cleaning and restoration, therefore, the contractor is responsible for landscaping.

P.P. and L-4 Pump Station Hydraulic Comminutors – Secretary Kennedy and Chairman Knoeller executed the contracts between KRS Services, Inc. and the Lacey Municipal Utilities Authority for P.P. and L-4 Pump Station Hydraulic Comminutors.

Cleaning & Televising Contract No. 8 – Mr. Dittenhofer stated the design is complete for this project. A bid opening is scheduled for September 24th.

Decommissioning of Brookdale Wells 1 and 2 – Mr. Dittenhofer stated this project is under design.

Mr. Miklosey asked for an explanation regarding RV&V's invoice charging 411 miles for travel. Mr. Dittenhofer stated he would investigate his concern.

In reference to decommissioning Well No. 2, Mr. Knoeller asked Mr. Dittenhofer to provide the Board with a plot plan for the actual size of the lot for the next meeting.

ATTORNEY'S REPORT

Resolution 2013-55 – Supplemental Resolution No. 2 to Sewer Bonds General Bond Resolution – On recommendation by the Authority's attorney, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2013-55, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Supplemental Resolution No. 2 to Sewer Bonds General Bond Resolution*. Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Resolution 2013-56 – Supplemental Resolution No. 10 to Water Bonds General Bond Resolution – On recommendation by the Authority's attorney, a motion was made by Mr. Miklosey and seconded by Mr. Juliano to adopt *Resolution 2013-56, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Supplemental Resolution No. 10 to Water Bonds General Bond Resolution*. Roll call vote: Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

OCUA Arbitration - Mr. Dasti recommended this issue be discussed in Closed Session.

AUDITOR'S REPORT

Accountant's Status Report – Month Ended July 31, 2013 – Mr. Holman reported sewer and water user charges and interest income resulted in a favorable variance for the month. Delinquency charges on both water and sewer had an unfavorable balance for the month.

CORRESPONDENCE

Mr. & Mrs. Trueba, E. Hickory Drive – Requesting relief of utility bill, due to filling pool without pool fill meter. Since pool-fill credits are only issued with the use of a pool fill meter, a waiver of the portion of the charges could not be supported.

Steven Rafferzeder, Laurel Blvd. – Requesting relief of utility bill, due to filling pool without pool fill meter. Additional information is required before a determination can be made; therefore, this request will be addressed at the October board meeting.

Mr. & Mrs. Comeau, Chestnut Drive – Requesting removal of late charge, due to claim of not receiving bill. The executive director had granted a removal of the late charge.

Edward Allegar, Shadybrook Lane – Requesting relief of utility bill, due to a ruptured garden hose. Since the water that leaked did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$203.75 (34,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Knudson, Bowsprit Point – Requesting relief of utility bill, due to a water leak. Since the water that leaked did not go into the sewer system, a motion was made

by Mr. Kennedy and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$197.07 (52,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

The minutes reflect that Mr. Dykoff has excused himself from the meeting.

Mark Dykoff, Normandie Drive – Requesting relief of utility bill, due to over filling of swimming pool. Additional information is required before a determination can be made; therefore, this request will be addressed at the October board meeting.

Richard Holzer, Hollywood Boulevard – Mr. Holzer was present requesting relief of his utility bill, due to filling pool without pool fill meter. He explained originally, his pool had a leak and he filled his pool without a pool fill meter. Shortly thereafter, his pool had another leak whereas he obtained a meter to fill the pool. The pool leaked again, but this time he did not have a meter. Mr. Knoeller and Mr. Nosti recommended Mr. Holzer provide the Board with the dimensions of his pool for consideration of relief at the next meeting.

**OLD
BUSINESS**

Resolution 2013-53 – Memorializing action taken on July 10, 2013 – Establishing Salary Increases for Non-Union, Non-Contract Employees of the Lacey Municipal Utilities Authority – Secretary Kennedy executed Resolution 2013-53, Memorializing action taken on July 10, 2013, Establishing Salary Increases for Non-Union, Non-Contract Employees of the Lacey Municipal Utilities Authority.

Resolution 2013-54 – Memorializing action taken on August 7, 2013 – Rejecting Bids for Electrical Maintenance and Repair – Secretary Kennedy executed Resolution 2013-54, Rejecting Bids for Electrical Maintenance and Repair.

Hurricane Sandy – Mr. Woolf stated the Board had seized service charges to Hurricane Sandy victims, and asked how long the Authority would continue to grant relief of these charges. The Board recommended a November 1st deadline, unless there are extenuating circumstances. Mr. Knoeller asked that letters be sent to those customers informing them of the date the charges would resume.

**NEW
BUSINESS**

Mr. Masciale referenced a letter regarding termination of services due to non-payment of their utility bill. He recommended that all customers be sent a copy of a scaled down version of this letter in their utility bill.

**PUBLIC BUSINESS/
COMMENT**

There was no public business/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 personnel matters, contract negotiations 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. Juliano 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. Miklosey to reopen the meeting. Roll call vote: Unanimously approved.

**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 \$1,025,945.29 be same are hereby approved to be paid.
2. Said vouchers are listed on the attached computer check register.

The said vouchers were unanimously approved.

ADJOURNMENT There being no further business to discuss, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary