

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
MARCH 5, 2014**

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, March 5, 2014 and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Richard Kennedy, Arthur Miklosey, Nicholas Juliano, Jack Nosti and Ralph Lanuto. Also present were Jerry Dasti, Esq, attorney; Frank Holman, auditor; Alan Dittenhofer, engineer; Edward A. Woolf, Executive Director; and Deborah Busch, Office Manager.

**“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.

**COMMITTEE
APPOINTMENTS**

Personnel Committee

Chaired by Richard Kennedy
James Knoeller
Alternate No. 1 – Arthur Miklosey
Alternate No. 2 – Jack Nosti

Safety Committee

Chaired by Richard Kennedy
Jack Nosti
Darren Coraggio, Safety Coordinator
Tammy Fetherman
Harry Peckham
JoAnn Byckiewicz

Budget and Finance Committee

Chaired by Michael Masciale
Arthur Miklosey
Alternate – James Knoeller

Public Relations Committee & Planning Committee

Chaired by James Knoeller
Michael Masciale
Alternate – Ralph Lanuto

Township Committee Liaison

Nick Juliano
Alternate – Jack Nosti

**APPROVAL
OF MINUTES**

Regular and Reorganization Meeting of February 5, 2014 – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular and Reorganization Meeting of February 5, 2014. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending January 31, 2014 - Mr. Woolf summarized the cash balances for period ending January 31, 2014 as follows: Total cash balance for the unrestricted accounts were \$6,702,300.48, with earnings of \$1,082.56. Total cash balance for the restricted accounts held by the trustee were \$4,033,598.49, with earnings of \$6,866.99. Current period interest on the restricted and unrestricted accounts was \$8,532.55. Year-to-date earnings on all interest bearing accounts were \$8,532.55.

Resolution 2014-24 – Purchase of Billing and Finance Software – SHI (Software House International) - On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-24, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Purchasing Billing and Finance Software* for a total cost of \$100,116.40. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Amendment of Budget – Mr. Woolf asked for authorization to amend the 2014 water budget in the amount of \$725,000.00 for the purpose of purchasing water meters that were damaged from the storm. He stated the Authority has submitted documentation to FEMA for reimbursement of the money for the meters. A motion was made by Mr. Masciale and seconded by Mr. Kennedy to authorize amending the 2014 water budget in the amount of \$725,000.00. Roll call vote: Masciale-Yes; Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

OCUA Credit – Mr. Woolf reported the OCUA has credited the Authority \$107,000.00 towards its first installment of the 2014 annual charge.

**BUSINESS
REPORT**

The business report was submitted for review. The MUAA dinner/meeting will be held on Thursday, March 13, 2014.

**ENGINEER'S
REPORT**

Resolution 2014-25 – Final Sewer and Water Approval – Maxim Drive Major Subdivision – Robert G. Lange, Jr. – Mr. Dittenhofer reported his office received the application and plans for final sewer and water approval for Robert Lange, Jr., Maxim Drive Subdivision, Block 1655, Lots 1-21 & 26-32. The applicant is proposing to construct a four (4) lot subdivision on the southern side of Maxim Drive, east of Lacey Road. The applicant proposes to connect to an existing manhole at the eastern end of Maxim Drive and extend sanitary sewer main along Maxim Drive to service the subdivision. The applicant also proposes to connect individual water services to the existing 6” water main in Maxim Drive to service the units. A fire hydrant at the intersection of Maxim Drive and the Adams Street right-of-way is also proposed. On recommendation by the Authority’s engineer, a motion was made by Mr. Kennedy and seconded by Mr. Juliano to adopt *Resolution 2014-25, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Final Sewer and Water Approval, Maxim Drive Major Subdivision, Robert G. Lange, Jr., Block 1655, Lots 1-21 & 26-32*. Roll call vote: Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Water Treatment Plant No. 1 Upgrades - Mr. Dittenhofer stated the Bureau of Safe Drinking Water Permit to Operate Well No. 7 and WTP was submitted. Ready to begin start-up and chemical doses tune-up. Mr. Knoeller asked that the contractor be notified that the site be cleaned up.

Resolution 2014-26 – Release Performance Bond and Final Payment – Change Order No. 1 – P.P. and L-4 Pump Station Hydraulic Comminutors – KRS Services, Inc. - On recommendation by the Authority’s engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2014-26, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Release of Performance Bond and Final Payment, Change Order No. 1, P.P. and L-4 Pump Station Hydraulic Comminutors, KRS Services, Inc.* Change Order represents changing rail brackets at L-4 pump station for a net contract increase of \$640.00. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Meter Installation – Mr. Dittenhofer stated this project is under LMUA review, and on hold until approved by FEMA.

Installation of Hydraulic Grinder at CP-1 – Mr. Dittenhofer stated this project is under design.

**ATTORNEY'S
REPORT**

Staples/Kohl's - Mr. Knoeller reported from the last snow storm he did not observe salt being used for snow clearing purposes at the Staples and Kohl's sites. Sand is being used and they are in compliance.

OCUA Annual Charge - Mr. Dasti stated he forwarded a letter to the OCUA Executive Director suggesting they reduce its estimate sewer discharge for the LMUA for 2014 to 730 million gallons.

RioCan American Management (Home Depot) – Mr. Dasti stated he reviewed the Operations Agreement submitted by RioCan and forwarded a letter of approval to the Executive Director.

Katherine Weichert – Mr. Dasti stated he provided a legal opinion concerning whether the Authority is allowed to grant relief on Ms. Weichert's utility bill due to the unused loss of water due to burglary. He noted Bond Resolutions adopted by the Authority prohibits granting relief for this type of loss. Therefore, he recommends informing customer to contact her homeowner's insurance company who may provide relief.

AUDITOR'S REPORT

Status Report – Period Ending January 31, 2014 – Mr. Holman reported sewer user charges resulted in an unfavorable variance for the month and a favorable variance on the water side. Expenses are under budget for both water and sewer.

CORRESPONDENCE

Laura Tice, Normandie Drive – Requesting relief of utility bill, due to leak in sprinkler system. Based upon the available information a waiver of the charges could not be supported. Customer will be notified of availability of irrigation meter.

Steven Viola, Tamiami Road – Requesting relief of utility bill, due to broken pipe. Since customer's usage history does not indicate additional usage during the billing cycle in question, a waiver of the charges could not be supported.

Frank Cocuzza, Fairview Lane – Requesting relief of utility bill, due to broken water pipe. 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 \$229.68 (58,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. McMahon, Shenandoah Drive – Requesting relief of utility bill, due to broken water pipe. 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 \$956.03 (130,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Tom Szarzo, Osage Drive – Requesting relief of utility bill, due to claim of faulty meter. Based upon the available information, a waiver of the charges could not be supported. Customer is responsible to protect water meter from freezing temperatures.

Mr. & Mrs. Wong – Requesting reimbursement of expenses for repairs of leaking pipes. Based upon the available information, reimbursement of expenses could not be supported. It is customer's responsibility to contact LMUA and request water to be shut off at curb.

Barbara Smith, Haines Street – Requesting relief of utility bill, due to backyard hose being left on. Since the water did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to grant a credit adjustment on the sewer charges in the amount of \$61.16 (18,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**OLD
BUSINESS**

Professional Services Agreement – Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors – Authority Attorney – Chairman Knoeller and Secretary Kennedy executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors for the period from February 6, 2014 to February 4, 2015.

Professional Services Agreement – Richard Meinders, P.C. – Authority Conflict Attorney – Chairman Knoeller and Secretary Kennedy executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Richard Meinders, P.C. for the period from February 6, 2014 to February 4, 2015.

Professional Services Agreement – Connor Strong & Buckelew – Authority Risk Management Consultant – Chairman Knoeller and Secretary Kennedy executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Connor Strong & Buckelew for the period from February 6, 2014 to February 4, 2015.

Professional Services Agreement – Holman, Frenia & Allison, P.C. – Authority Auditor – Chairman Knoeller executed the Professional Services Agreement and Deferred Compensation Plan Audit between the Lacey Municipal Utilities Authority and Holman, Frenia & Allison, P.C. for the period from February 6, 2014 to February 4, 2015.

**NEW
BUSINESS**

In regards to the software upgrades, Mr. Nosti asked if the upgrades would allow electronic transfers/bill pay from banks. Ms. Busch stated at this time the Authority will only be accepting credit cards. The ability to do electronic transfers will eventually be explored.

**PUBLIC BUSINESS/
COMMENT**

There was no public business/comment.

**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 \$839,847.33 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. Miklosey and seconded by Mr. Masciale to adopt the above resolution. Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes, but abstains on Eastern Warehouse Distributors; 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 and potential litigation 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. 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.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary

