

**LACEY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
MAY 7, 2014**

Pledge of Allegiance

**ROLL CALL**

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, May 7, 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; Alan Dittenhofer, engineer; Frank Holman, auditor; Edward A. Woolf, Executive Director; and Deborah Busch, Office Manager. 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 April 2, 2014** – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of April 2, 2014. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Closed Session Meeting of April 2, 2014** – A motion was made by Mr. Kennedy and seconded by Mr. Juliano to approve the minutes of the Closed Session Meeting of April 2, 2014. Roll call vote: Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE  
DIRECTOR’S  
REPORT**

**Cash Balance Report - Period Ending March 30, 2014** - Mr. Woolf summarized the cash balances for period ending March 30, 2014 as follows: Total cash balance for the unrestricted accounts were \$6,594,266.05, with earnings of \$470.29. Total cash balance for the restricted accounts held by the trustee were \$4,905,153.34, with earnings of \$1,056.85. Current period interest on the restricted and unrestricted accounts was \$1,527.14. Year-to-date earnings on all interest bearing accounts were \$11,337.34.

**Resolution 2014-33 – Award Contract for Water Equipment Supplies** – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2014-33, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Award of a Non-Fair and Open Contract for Water Equipment Supplies, Water Works Supply Company*. Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Resolution 2014-34 – Transfer of Funds – 2014 Sewer and Water Budget** – On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to adopt *Resolution 2014-34, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Transfer of Funds, 2014 Sewer and Water Budget*. Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Water Meters and Associated Equipment** – Mr. Woolf requested authorization to advertise and receive bids for water meters and associated equipment. A motion was made by Mr. Kennedy and seconded by Mr. Miklosey authorizing advertisement to receive bids for water meters and associated equipment. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. Miklosey asked that a copy of the comp/personal/sick/vacation report be distributed to each board member. He questioned the 58 hours of comp time accrued in March. Mr. Woolf explained a lot of that time is due to personnel called out for snow removal.

## **BUSINESS REPORT**

The business report was submitted for review. Mr. Knoeller informed Ms. Busch she can report/comment on any operational issues.

## **ENGINEER'S REPORT**

**Resolution 2014-29 – Preliminary Sewer and Water Approval – Joan Cleveland Minor Subdivision** – Mr. Dittenhofer stated his office received the application and plans for preliminary sewer and water approval for Joan Cleveland minor subdivision, Block 1536, Lots 18-25. The applicant is proposing to construct a two (2) lot minor subdivision at the intersection of Baldwin Street and Harrison Avenue, in the eastern corner. There is one (1) existing dwelling on the property. The applicant proposes to install one (1) new water service and one (1) new sanitary lateral to service the proposed dwelling. The existing dwelling is serviced by the water and sewer mains located in Baldwin Avenue. On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2014-29, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Sewer and Water Approval, Joan Cleveland Minor Subdivision, Block 1536, Lots 18-25*. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Resolution 2014-30 – Preliminary and Tentative Sewer and Water Approval – Lacey Family Apartments, LLC** – Mr. Dittenhofer stated his office received the application and plans for preliminary and tentative sewer and water approval for Lacey Family Apartments, LLC, Block 1837, Lots 8.02 & 9. The applicant is proposing to

construct an apartment complex consisting of nine (9) buildings containing a total of 13 one bedroom apartments, 43 two bedroom apartments, 14 three bedroom apartments, and a 1,798 SF rental office/clubhouse, and one (1) 864 SF maintenance building on the north side of Calvin Street. The applicant proposes to connect to an existing manhole located in Calvin Street and extend approximately 755 LF of 8" PVC sewer main to service the buildings. The applicant also proposes to connect to the existing water main located in Calvin Street and install a water main loop for the site consisting of approximately 690 LF of 8" PVC water main and approximately 578 LF of 6" PVC water main.

Mr. Knoeller stated the Authority had agreed to accommodate the Township with its request not to charge normal administrative fees with regard to the application submitted in the name of the Township for the new proposed affordable housing complex. He pointed out the Township is requesting to be reimbursed for professional fees, development fees, etc. for approval of the Well No. 8 application. He asked Mr. Dykoff to address this issue with the Township Committee and possibly enter into a Memorandum of Understanding between the Township and the Authority to grant each other waivers of administrative fees, etc.

On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt *Resolution 2014-30, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary and Tentative Sewer and Water Approval, Lacey Family Apartments, LLC, Block 1837, Lots 8.02 & 9*. Roll call vote: Masciale-Yes; Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Change Order No. 5 – WTP Upgrades Plant No. 1 – Installation Wells No. 7 & 8 –**

On recommendation by the Authority's engineer, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to approve Change Order No. 5 representing additions to the pre-lube lines, bypass pumping, valves and an additional raw water sample line to the sink for a net contract increase of \$6,915.88. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Water Treatment Plant No. 1 Upgrades** – Mr. Dittenhofer stated the NJDEP inspection for the permit to operate has been complete, as well as the well sampling. The sampling results should be completed in four weeks. Once the results come back, a permit to operate will be issued and the plant can then be utilized. Mr. Masciale asked if the Township is aware of what the Authority has undertaken to put safer and more available water into the system. Mr. Knoeller recommends doing a press release once the plant is in operation.

**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 the bids will be received in the middle of May for this project.

Mr. Miklosey asked about the status of the Well 7 & 8 application that was returned to the State for administrative deficiencies. Mr. Dittenhofer explained presently, Wells 7 & 8 are permitted as tests wells. They need to be re-permitted as community production

wells, which has to be done by a licensed master well driller not the engineer. He stated AC Schultes is preparing the paperwork for resubmittal to the State.

## ATTORNEY'S REPORT

**Well No. 8** - Mr. Dasti stated he reviewed correspondence from the Planning Board Engineer which indicates matters that still need to be addressed in order to complete and perfect the prior approvals granted by the Planning Board. He will assist the Authority's engineer with these matters.

**Water Service Application, Block 1837, Lots 8.02 & 9** - Mr. Dasti stated he reviewed correspondence from the Township Administrator to the executive director concerning the request by the Township to have the Authority waive any fees for processing the applications for water and sewer approvals.

**2013 Audit** – Mr. Dasti stated his office provided to the Authority auditor the annual audit letter indicating they certify there are no outstanding obligations or threatened litigation against the Authority which would affect its financial wellbeing.

## AUDITOR'S REPORT

**2013 Audit**– Mr. Holman discussed the draft auditor's report for year ending December 31, 2013. Overall, he stated it was a positive report with no recommendations. The financial analysis performance was excellent.

**Resolution 2014-32 – Accept and Approve 2013 Audit** – On Recommendation by the authority's auditor, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-32, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Accepting and Approving the Audit, Ending Fiscal Year December 31, 2013*. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano: Masciale-Yes; Knoeller-Yes. Motion passed.

## CORRESPONDENCE

**Thomas Foley, Main Street** – 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 \$15.08 (13,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Tricia Magliola, Station Drive** – Requesting relief of utility bill, due to hose 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 \$87.08 (22,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Rose Mary Kaiser, Sunset Drive** – Requesting relief of utility bill, due to broken 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 \$1,192.10 (173,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Peter Oriente, Warren Avenue** – Requesting relief of utility bill, due to frozen pipe burst. Based upon the available information, a waiver of the charges could not be supported.

**Mr. & Mrs. Field, Oak Hill Ct.** – Requesting relief of utility bill, due to sprinkler system leak. Since the water that leaked 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 \$134.39 (28,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Brian Price, Shrike Court** – Requesting relief of utility bill, due to outside faucet 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 \$18.44 (10,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Laurence Trainor, Pensacola Rd.** – Requesting relief of utility bill, due to broken pipe. Since the water that leaked 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 \$46.89 (11,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Kathleen Callanan, Pensacola Rd.** – Based upon the available information, a waiver of the charges could not be supported.

**Lily Raimo, Oak Road** – Ms. Raimo was present to request relief of utility bill, due to hose leak. Since the water that leaked did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Juliano to grant a credit adjustment on the sewer charges in the amount of \$295.92 (57,000 gallons). Roll call vote: Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Patrick Rawlins, Beach Bld.** – Requesting relief of utility bill, due to frozen pipe. Since the water that leaked 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 \$817.30 (130,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Mary Dooney, Bay Avenue** – Requesting relief of utility bill, due to broken 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 \$1,050.79 (154,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Scott Griffiths, Meadow Lark Dr.** – Requesting relief of utility bill, due to ruptured water meter. 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 \$5,750.62 (756,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Glenn Langdon, Windsor Street** – Requesting relief of utility bill and payment plan, due to broken pipe. 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 \$2,332.24 (325,000 gallons), as well as a payment plan to pay utility bill. Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Alfred Pepe, Clubhouse Drive** – Requesting relief of utility bill, due to broken water pipe. Since the water did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Juliano to grant a credit adjustment on the sewer charges in the amount of \$128.08 (39,000 gallons). Roll call vote: Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Timothy Stasse, Fairview Lane** – Requesting relief of utility bill, due to water filter burst. Since the water did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Juliano to grant a credit adjustment on the sewer charges in the amount of \$19.32 (16,000 gallons). Roll call vote: Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Robert Scerbo, 1219 Legune Ave.** – Mr. Scerbo was present to request relief on his utility bill. He stated he submitted correspondence requesting relief, however, he has not received a response. Mr. Woolf stated he would look into this issue.

**OLD  
BUSINESS**

**Resolution 2014-28 – Memorialize Action Taken on April 2, 2014 – Salary Increase for Deborah Busch** – Secretary Kennedy executed Resolution 2014-28, memorializing action taken on April 2, 2014, authorizing salary increase for Deborah Busch.

**NEW  
BUSINESS**

Mr. Knoeller stated a marketing plan needs to be developed to sell the excess water. If a line is needed under the river going southbound, Waretown/Barnegat should be contacted to come to an agreement to build the line so the Authority can market its water southbound. Mr. Knoeller asked the professionals and Mr. Woolf to develop a marketing plan in selling the excess water, which in turn will provide relief to the ratepayers.

Regarding Well No 8, Mr. Knoeller asked Mr. Woolf to contact Bayville for an update in having the line installed.

**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 \$286,117.18 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 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.

**OTHER  
BUSINESS**

**Personnel Matters** – A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to reassign Jim Doeren's position from Operations Supervisor to Water Treatment Plant Operator. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. Knoeller asked Mr. Woolf to outline what Mr. Doeren's responsibilities will be in his new position, and to meet with the personnel committee to establish what the salary guide will be. Until the salary guide is established, Mr. Doeren will continue to receive his present salary.

Mr. Nosti asked about the reappointment of Bond Counsel. Mr. Woolf stated it is his understanding that bond counsel will not be appointed unless needed. The Board concurred.

**ADJOURNMENT**      There being no further business to discuss, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Michele Kennedy  
Executive Secretary



