

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

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, November 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; Chris Connors, Esq., attorney; Felipe Contreras, engineer; Alan Dittenhofer, engineer; Rodney Haines, auditor; Deborah Busch, Office Manager 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 October 1, 2014 – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of October 1, 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 September 30, 2014 - Mr. Woolf summarized the cash balances for period ending September 30, 2014 as follows: Total cash balance for the unrestricted accounts were \$6,707,394.41, with earnings of \$277.15. Total cash balance for the restricted accounts held by the trustee were \$6,567,438.17, with earnings of \$376.17. Current period interest on the restricted and unrestricted accounts was \$653.32. Year-to-date earnings on all interest bearing accounts were \$23,367.36.

Resolution 2014-58 – Transfer of Funds – 2014 Sewer and Water Budget – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution 2014-58, 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: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2014-54 – Award Contract for Cleaning and Televising Sewer Contract No. 8 – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2014-54, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for Cleaning and Televising Sanitary Sewer Contract No. 8* to Video Pipe Services in the amount of \$374,708.17. Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Resolution 2014-53 – Award Contract for Water Meter Installation – Superstorm Sandy – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt *Resolution 2014-53, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for Water Meter Installation at Various Locations due to Superstorm Sandy* to HD Supply Waterworks in the amount of \$690,580.00. Roll call vote: Masciale-Yes; Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

BUSINESS REPORT

The business report was submitted for review.

ENGINEER'S REPORT

Resolution 2014-57 – Tentative Sewer and Water Approval – Liberty Overhead Door, Inc. – Mr. Dittenhofer stated his office received the application and plans for tentative sewer and water approval for Liberty Overhead Door, Inc., Block 1003, Lot 1.17. The applicant is proposing to construct a 7,200 SF warehouse building in the cul-de-sac of Old Shore Road, west of Challenger Way. The applicant proposes to connect to an existing cleanout located in the right-of-way of Old Shore Road and install a sanitary lateral to service the building. The applicant also proposes to connect to an existing curb stop located in the right-of-way of Old Shore Road and install a water service for domestic use. On recommendation by the Authority's engineer, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-57, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Tentative Sewer and Water Approval, Liberty Overhead Door, Inc., Block 1002, Lot 1.17.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Water Treatment Plant No. 1 Upgrades – Mr. Dittenhofer stated pole locations were selected and JCP&L will install in the next three weeks.

Installation of Hydraulic Grinder at CP-1 - Mr. Dittenhofer stated this project is complete.

Bayonne and Center Road - Mr. Dittenhofer stated the road development plan was completed and submitted to the Township director of public works for comment.

Bayonne Road Improvements – Mr. Dittenhofer stated road improvements in Bayonne Road between Chelsea and Alpine streets is almost complete. A draft copy of the design

will be forwarded to the Authority for review and comments. The estimated cost of the project is \$113,675.00.

Mr. Knoeller asked about the operations of the water treatment plant. Mr. Dittenhofer stated they are making a minor adjustment on the backwash line to restrict the backwash flow. Once this is corrected water can be used.

ATTORNEY'S REPORT

Lacey Planning Board Compliance Issues - Mr. Connors stated his office has been in contact with the Township building department and RV&V regarding the outstanding issues in conjunction with the prior Planning Board site plan approvals.

James Peirano – Mr. Connors recommended the torte claim notice filed by Mr. Peirano be forwarded to the Authority's insurance carrier.

Mr. Knoeller explained that Mr. Peirano's water was shut off because he did not pay his utility bill. Mr. Peirano is now claiming that he is disabled and the water should never have been shut off. Mr. Knoeller stated the Authority's rules and regulations state that if any person needs water for medical purposes their water would not be shut off. However, Mr. Peirano never informed the Authority that he was disabled prior to him being shut off. Mr. Connors stated the Authority is not negligent in this regard. Mr. Knoeller asked Mr. Woolf to contact Mr. Peirano regarding this issue and offer him a payment plan to pay the balance of his bill.

Resolution 2014-51 – Appoint Northern Advisory Group Investments – Authority Investment Manager – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to *adopt Resolution 2014-51, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Northern Advisory Group Investments, Inc., as Investment Manager for the Lacey Municipal Utilities Authority.* Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Mr. Miklosey informed Mr. Haines that at the last meeting he asked Mr. Conaty to have Mr. Holman to provide the Authority with something in writing regarding his opinion/comments of Northern Advisory Group. As of this date, the Authority has not received this information. Mr. Haines stated he would relay this message to Mr. Holman.

AUDITOR'S REPORT

Status Report – Month Ending September 30, 2014 – Mr. Haines reported user charges for sewer and water resulted in an unfavorable variance for the month. Delinquency charges had a favorable variance on both water and sewer. Interest income had an unfavorable variance due to investments not performing as well as expected.

Resolution 2014-55 – Approval of 2015 Sewer and Water Budget - Secretary Kennedy executed Resolution 2014-55, approving the 2015 Sewer and Water Budget, which was approved at the October 2, 2014 meeting.

Resolution 2014-56 – Submittal of 2015 Sewer and Water Budget - Secretary Kennedy executed Resolution 2014-56, submittal of 2015 Sewer and Water Budget, which was approved at the October 2, 2014 meeting.

CORRESPONDENCE

Sandra Coyte, N. Main St. - Requesting relief of utility bill, due to leaking toilet. Based upon the available information, a waiver of the service charges could not be supported.

Rosemary Campo, Canterbury Dr. - Requesting relief of utility bill, due to leaking toilet. Based upon the available information, a waiver of the service charges could not be supported.

Kathryn Dakis, Stony Point. Dr. - Requesting relief of utility bill, due to leaking toilet. Based upon the available information, a waiver of the service charges could not be supported.

James Polon, Cedar Dr. - Requesting relief of utility bill, due to filling pool without pool fill meter. Based upon the available information, a waiver of the service charges could not be supported.

Mr. & Mrs. Arruda, Brentwood Rd. - Requesting relief of utility bill, due to watering lawn without irrigation meter. Based upon the available information, a waiver of the service charges could not be supported.

Michelle Keats, F. Street - Requesting relief of utility bill, due to watering lawn without irrigation meter. Based upon the available information, a waiver of the service charges could not be supported.

James Sharkey, Elwood Street - Requesting relief of utility bill, due to leak in sprinkler system. Based upon the available information, a waiver of the service charges could not be supported.

Richard Holzer, Daytona Road - Requesting relief of utility bill, due to unexplained high water usage. Since the high water usage was due to a faulty water meter, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$729.92 (62,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-yes; Knoeller-Yes. Motion passed.

Marlene Johnson, Laurel Blvd. - Requesting relief of utility bill, due to leak at bulkhead. 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 \$145.50 (32,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Jennifer Natoli, Falkenburgh Ave. - Requesting relief of utility bill, due to outside 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 \$321.72 (56,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

PRM Properties, Old Shore Road - Requesting relief of utility bill, due to watering without irrigation meter. Based upon the available information, a waiver of the service charges could not be supported.

**OLD
BUSINESS**

Continuing Disclosure Reporting Requirements – Mr. Woolf stated Acacia Financial was appointed to review the Authority’s recent bond issues to make sure there were no misstatements that needed to be reported. In order for them to continue with this process, a bond counsel must be appointed to oversee that there are no misstatements or inconsistencies with what was originally submitted with the bond application.

Mr. Woolf received two quotes for bond Counsel – Decotis Fitzpatrick and Gluck Walrath. He stated both firms had offered their services of an amount not to exceed \$5,000.00. Hourly rates for Decotis Fitzpatrick is \$250.00 per hour, and Gluck Walrath is \$225.00 per hour. Mr. Woolf stated given the fact that Gluck Walrath has handled the Authority’s bonds over the last 10 years, he recommends appointing Gluck Walrath to handle the continuing disclosure requirements for the recent bond issue. A motion was made by Mr. Masciale and seconded by Mr. Kennedy to appoint Gluck Walrath in an amount not to exceed \$5,000.00 to handle the continuing disclosure requirements of the Authority. Roll call vote: Masciale-Yes; Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**NEW
BUSINESS**

There was no new business to discuss.

**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 \$351,055.73 be same are hereby approved to be paid.
2. Said vouchers are listed on the attached computer check register.
3. This resolution shall take effect immediately

A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt the above resolution. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes, but abstains on Eastern Warehouse Distributors; Masciale-Yes; Knoeller-Yes. Motion passed.

ADJOURNMENT There being no further business to discuss, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary

