

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
JANUARY 7, 2015**

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, January 7, 2015, and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Richard Kennedy, Arthur Miklosey, Jack Nosti, Ralph Lanuto and Paul De Nicola. Also present were Jerry Dasti, Esq, attorney; Felipe Contreras, engineer; Alan Dittenhofer, engineer; Brian Waldron, auditor; Deborah Busch, Office Manager and Edward A. Woolf, Executive Director. Nickolas Juliano, 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 December 3, 2014 – A motion was made by Mr. Masciale and seconded by Mr. Kennedy to approve the minutes of the Regular Meeting of December 3, 2014. Roll call vote: Masciale-Yes; Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Knoeller-Abstain. Motion passed.

Closed Session Meeting of December 3, 2014 – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Closed Session Meeting of December 3, 2014. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Abstain. Motion passed.

Michael Masciale was reappointed as the Authority’s vice chairman and was sworn in by Jerry Dasti, Esq.

Jack Nosti was sworn in as regular member of the Lacey Municipal Utilities Authority.

Ralph Lanuto was sworn in as alternate No. 1 of the Lacey Municipal Utilities Authority.

Paul De Nicola was sworn in as alternate No. 2 of the Lacey Municipal Utilities Authority.

Mr. Knoeller welcomed Nick Juliano as the Lacey MUA/Township Committee Liaison.

EXECUTIVE DIRECTOR'S REPORT

Cash Balance Report - Period Ending November 30, 2014 - Mr. Woolf summarized the cash balances for period ending November 30, 2014 as follows: Total cash balance for the unrestricted accounts were \$7,515,441.24, with earnings of \$264.26. Total cash balance for the restricted accounts held by the trustee were \$6,781,335.21, with earnings of \$141.40. Current period interest on the restricted and unrestricted accounts was \$405.66. Year-to-date earnings on all interest bearing accounts were \$24,188.73.

Resolution 2015-02 – Authorize Utilization of Fair and Open Process for Receipt of Proposals for Professional Services - On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Kennedy to adopt *Resolution 2015-02, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Utilization of the Fair and Open Process in Accordance with N.J.S.A. 19:44A-20.4 Et Seq. for the Receipt of Proposals for Professional Services*. Roll call vote: Nosti-Yes; Kennedy-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2015-05 – Licensed Operator Pay - Mr. Woolf stated this issue will be discussed in closed session.

Water Meters and Associated Materials - 2015 – Mr. Woolf requested authorization to advertise and receive bids for water meters and associated materials for 2015. A motion was made by Mr. Miklosey and seconded by Mr. Kennedy authorizing the advertisement to receive bids for water meters and associated materials. Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Investment Manager's Report - Mr. Woolf introduced the Authority's investment managers, Brian DiBrino and Jeff Miller of Northern Advisory Group. They were appointed last year to obtain a better yield on the investment funds. Mr. DiBrino gave a brief presentation of their investment strategy to get a better yield on the Authority's cash management balances. He stated he will discuss this issue in more detail in closed session

BUSINESS REPORT

The business report was submitted for review.

ENGINEER'S REPORT

Resolution 2015-01 – Permit to Operate – Performance Guarantee Reduction – Lacey Corner, LLC. - On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2015-01, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Permit to Operate – Sewer and Water Systems, Performance Guarantee Reduction, Lacey Corner, LLC Retail Building, Block 630.01, Lot 1*. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Water Treatment Plant No. 1 Upgrades – Mr. Dittenhofer stated pole locations were selected. JCP&L is currently waiting for supplies and coordination with the contractor for the underground section along the center street, which should be completed within two weeks.

Meter Installation – Mr. Dittenhofer stated a preconstruction meeting was held on December 5th and the project is to start January 26, 2015.

Cleaning and Televising – Contract No. 8 - Mr. Dittenhofer stated a preconstruction meeting is scheduled for January 13th. Mr. Knoeller was concerned that grouting and repairing was not included in the Resolution approving this contract. He asked that the Resolution be amended to include grouting and repairing.

Mr. Knoeller questioned the contract price of \$374,708.17. Mr. Dittenhofer stated there are line items in the bid for various portions of the work in the Forked River Beach area north of the river. He pointed out not all line items will be done. Additionally, the work is based on if and where directed quantities; therefore, the exact cost is unknown. Mr. Knoeller stated the previous contract was approximately \$175,000.00. Mr. Contreras pointed out this bid package had to include laterals (700 @ \$150.00). He does not expect them to be in need of repair – the televising will determine if they need to be repaired or not.

ATTORNEY'S REPORT

Well No. 8 – Mr. Dasti stated his office reviewed correspondence concerning the compliance issues.

Cleaning and Televising Sewer Contract No. 8 - Mr. Dasti stated his office reviewed and approved the contract documents.

C.1.01 Pump Station Hydraulic Comminutor – Mr. Dasti stated his office reviewed and approved the bond documents.

LMUA Water Meter Installation – Mr. Dasti stated his office reviewed and approved the contract documents

AUDITOR'S REPORT

Status Report – Month Ending November 30, 2014 – Mr. Waldron 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.

CORRESPONDENCE

Mr. & Mrs. Schick, Mainsail Court - Requesting relief of utility bill, due to leaky pipe in crawl space. 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 \$77.52 (19,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

John Stevens, Pheasant Hollow Drive – Requesting relief of utility bill, due to soaker hose being left on. Since the water that leaked did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a one-time credit adjustment on the sewer charges in the amount of \$195.10 (35,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Rosalie Flynn, Aquarius Court - Requesting relief of utility bill, due to filling hot tub. Based upon the available information, a waiver of the service charges could not be supported.

Charles Comeau, Chestnut Drive - 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.

Wendy Mueller, Lakewood Avenue - Requesting relief of utility bill, due to filling pool after liner replacement. Based upon the available information, a waiver of the service charges could not be supported.

**OLD
BUSINESS**

Form of Contract – Water Meter Installations – Chairman Knoeller and Secretary Kennedy executed the contract between the Authority and HD Supply Waterworks for Water Meter Installation at various locations due to superstorm Sandy in the amount of \$690,580.00.

**NEW
BUSINESS**

There was no new business to discuss.

**PUBLIC BUSINESS/
COMMENT**

Regina Discenza, Sunset Drive – Ms. Discenza asked if the Home Depot site was inspected for their use of snow clearing materials. Mr. Knoeller stated he inspected the area and sand was used for snow clearing.

**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 \$305,777.80 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; Nosti-Yes; Masciale-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 matter.
2. The general nature of this closed session concerns potential litigation and 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. Miklosey and seconded by Mr. Masciale to adopt the above resolution. Roll call vote: Unanimously approved.

Separate minutes were kept on the above closed session.

Ms. Busch and Ms. Kennedy were excused from a portion of the closes session meeting.

**RE-OPEN
MEETING**

A motion was made and seconded to return to open session. Motion unanimously carried.

**OTHER
BUSIENSS**

Non-Union Salaries - A motion was made by Mr. Masciale and seconded by Mr. Miklosey authorizing a \$1,100.00 salary increase for non-union employees, retroactive to January 1, 2015. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Resolution 2015-05 – Licensed Operator Pay - A motion was made by Mr. Nosti and seconded by Mr. Miklosey to *adopt Resolution 2015-05, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Amending and Modifying Policy No. 316, Licensed Operator Pay of the Personnel Policy Handbook.*

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

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

Respectfully submitted,

Michele Kennedy
Executive Secretary

