

**LACEY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
MARCH 4, 2015**

Pledge of Allegiance

**ROLL CALL**

The regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, March 4, 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 DeNicola. Also present were Jerry Dasti, attorney; Frank Holman, auditor; Alan Dittenhofer, engineer; Felipe Contreras, engineer; Deborah Busch, office manager, and Edward A. Woolf, Executive Director. Nick Juliano, Lacey MUA/Township Committee liaison also attended the meeting.

**“SUNSHINE  
LAW”  
STATEMENT**

Mr. Knoeller read the following statement.

Notice of this 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 and Reorganization Meeting of February 4, 2015** - A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular and Reorganization Meeting of February 4, 2015. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Closed Session Meeting of February 4, 2015** - A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to approve the minutes of the Closed Session Meeting of February 4, 2015. Roll call vote: Miklosey-Yes; Kennedy-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE  
DIRECTOR'S  
REPORT**

**Cash Balance Report - Period Ending January 31, 2015** - Mr. Woolf summarized the cash balances for period ending January 31, 2015 as follows: Total cash balance for the unrestricted accounts were \$7,495,136.06, with earnings of \$685.38. Total cash balance for the restricted accounts held by the trustee were \$3,983,941.51, with earnings of \$3,588.05. Current period interest on the restricted and unrestricted accounts was \$4,273.43. Year-to-date earnings on all interest bearing accounts were \$4,273.43

**Resolution 2015-26 – Award Contract for Furnish & Delivery of Water Meters and Associated Material 2015** - On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2015-26, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for Furnish & Delivery of Water Meters and Associated Material 2015*. Contract was awarded to HD Supply Waterworks in the amount of \$38,900.00. Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2015-23 – Approve Amendment to Collective Bargaining Agreement with Teamsters Local 97** - On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Kennedy to adopt *Resolution 2015-23, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing and Approving an Amendment to the Collective Bargaining Agreement with Teamsters Local 97 of New Jersey*. Mr. Knoeller explained the amendment pertains to the Salary Guide for the position. Roll call vote: Nosti-Yes; Kennedy-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2015-25 – Appoint Harry Peckham to Truck Driver/Heavy Equipment Operator** - On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt *Resolution 2015-25, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Harry Peckham to the position of Truck Driver/Heavy Equipment Operator*. Roll call vote: Masciale-Yes; Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed

**Resolution 2015-28 – Appoint Anthony DiFabio to Jet-Vac Truck Operator** - On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Kennedy to adopt *Resolution 2015-28, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Anthony DiFabio to the position of Jet-Vac Truck Operator*. Roll call vote: Nosti-Yes; Kennedy-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

**Ellen Videl, Quail Lane South** – Mr. Woolf explained Ms. Videl is requesting reimbursement in the amount of \$153.44 for damage to her tire as a result of an improper manhole cover being installed that became dislodged when she drove over it. Based upon the information submitted, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to reimburse Ms. Videl in the amount of \$153.44 for damage to her tire. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Safety Award** – Mr. Woolf stated the Authority received a three-year loss time accident free award and annual safety compliance award from the New Jersey Joint Insurance Fund. He stated Mr. Coraggio is doing an outstanding job with the Safety program. Mr. Knoeller recommended Mr. Coraggio be given a written commendation from the Board for all his hard work.

**BUSINESS  
REPORT**

The business report was submitted for review. Mr. Knoeller asked how many accounts went to lien sale. Ms. Busch stated approximately 200.

**ENGINEER'S  
REPORT**

**Resolution 2015-27 – Tentative Sewer and Water Approval – Bob's Square Deal – Mera Holdings, LLC, Block 113, Lot 2** – Mr. Dittenhofer stated his office received the application and plans for tentative sewer and water approvals for Bob's Square Deal – Mera Holdings, Block 113, Lot 2. The applicant is proposing to construct a 9,000 SF commercial building consisting of a 6,000 SF hardware store and a 3,000 SF warehouse space on the east side of Route 9 between Beach Boulevard and Clearwater Drive. The applicant proposes to connect to an existing curb stop in the right-of-way of Route 9 and install a 1" water service for the building. The applicant also proposes to connect to an OCUA manhole located in an easement on the property and install approximately 40 LF of 8" PVC sewer main to a new manhole. The new sanitary lateral to service the building will connect to the manhole. On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2015-27, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Tentative Sewer and Water Approval – Bob's Square Deal – Block 113, Lot 2, Mera Holdings, LLC*. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Resolution 2015-24 – Permit to Operate – Performance Guarantee Release - Hoyt Street & Patterson Avenue Road Improvements, Block 1589, Various Lots** - On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2015-24, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Permit to Operate – Sewer and Water System, Performance Guarantee Release, Hoyt Street & Patterson Avenue Road Improvements, Block 1589, Various Lots*. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Water Treatment Plant No. 1 Upgrades** – Mr. Dittenhofer stated JCP&L installation was completed on February 25<sup>th</sup>. The project is expected to be completed within the next week.

**Meter Installation** - Mr. Dittenhofer stated the contractor has installed approximately 900 meters.

**Cleaning & Televising Contract No. 8** – Mr. Dittenhofer stated a notice to proceed was issued for this project and work is expected to begin mid-March.

**HMPG Purchasing and skid mounted generator and site improvements at four (4) pump stations** – Mr. Dittenhofer stated this project is currently under design.

**Brookdale Water Treatment Plant** – Mr. Dittenhofer stated the two wells have been decommissioned and filled. The Authority will no longer have to file reports with the NJDEP. Mr. Knoeller asked Mr. Dasti to look into whether or not that land can be put up for sale to the adjoining homeowners in Pheasant Run.

## ATTORNEY'S REPORT

**Truck Driver/Equipment Operator** – Mr. Dasti stated he conferred with representative of the Union, and the issue of the compensation for the new truck driver/equipment operator has been resolved.

**Water Meter Installation** – Mr. Dasti stated he has reviewed correspondence from RV&V to the contract regarding Notice to Proceed.

Mr. Knoeller asked Mr. Woolf to get an estimate on what it would cost to put a gravel road with a gate as an access road off of Headquarters Lane.

## AUDITOR'S REPORT

**Accountant's Status Report – Month Ended January 31, 2015** – Mr. Holman reported user charges resulted in a favorable variance on sewer due to the implementation of a payment plan for residents who received turnoff notices, and an unfavorable variance on water due to customers paying outstanding balances prior to lien sale. Delinquency charges had a favorable variance on both water and sewer. Interest income had an unfavorable variance on the sewer system, due to investments not performing as well as expected, and a favorable variance on water.

Mr. Holman stated the audit is due by the end of April, therefore, a meeting will be scheduled with the finance committee within the next three to review it. Mr. Masciale recommended the Authority's financial advisor, Northern Advisory, also attend that meeting.

## CORRESPONDENCE

**Danielle Medolla, Sunset Drive** – Requesting relief of utility bill, due to leaky expansion tank. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a credit adjustment on the sewer charges in the amount of \$2,400.37 (312,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Mr. & Mrs. Olah, Elizabeth Court** – Requesting relief of utility bill, due to leaky outside faucet. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a credit adjustment on the sewer charges in the amount of \$503.18 (84,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Ray Selander, Borealis Court** - Requesting relief of utility bill, due to broken pipe. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a credit adjustment on the sewer charges in the amount of \$5.80 (5,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

**Robert Krawiec, Kalae Drive** - Requesting relief of utility bill, due to broken pipe. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a credit adjustment on the sewer

charges in the amount of \$2.32 (2,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

**David Hupke, Uranus Court** - Requesting relief of utility bill, due to toilet leak. Based upon the available information a waiver of the service charges could not be supported. A payment plan will be offered to customer.

**George Price, Cedar Drive** - Requesting relief of utility bill, due to hot water leak. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Nosti to grant a credit adjustment on the sewer charges in the amount of \$6,345.58 (822,000 gallons). Roll call vote: Kennedy-Yes; Nosti-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

**James Keith, Kauai Drive** - Requesting relief of utility bill, due to broken meter as well as reimbursement of plumbing bill. Based upon the available information, a waiver of the service charges could not be supported. It is the customer's responsibility to protect the water meter from freezing temperatures.

**OLD  
BUSINESS**

**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 5, 2015 to February 2, 2016.

**Professional Services Agreement – Connor Strong & Buckalew – Authority Risk Management Consultant** – Chairman Knoeller and Secretary Kennedy executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Connor Strong & Buckalew for the period from February 5, 2015 to February 2, 2016.

**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 5, 2015 to February 2, 2016.

**NEW  
BUSINESS**

Mr. DeNicola recommended that the Board package material be emailed to the commissioners. It would eliminate unnecessary paper usage as well as postal costs. Mr. Woolf stated the Board material can be scanned and sent via email to those who want it. A hard copy of the material will still be available the day of the Board meeting.

**PUBLIC BUSINESS/  
COMMENT**

**Regina Discenza, Sunset Drive** – Mrs. Discenza asked if the Home Depot site has been inspected regarding the usage of snow clearing materials. Mr. Knoeller stated they are in compliance.

**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 personnel matters.
3. It is anticipated at this time that the above-stated matter will be made public once these matters have been resolved.
4. This resolution shall take effect immediately.

A motion was made by Mr. Nosti and seconded by Mr. Kennedy 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 this portion of the meeting.

**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 \$1,148,178.23 be and the same are hereby approved to be paid.
2. Said vouchers are listed on the attached computer check register.

A motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt the above resolution. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**RE-OPEN  
MEETING**

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

**OTHER  
BUSINESS**

A motion was made by Mr. Kennedy and seconded by Mr. Miklosey authorizing salary increase for Edward Woolf in the amount of \$2,500.00 effective March 5, 2015. Roll call vote: Kennedy-Yes; Miklosey-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

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

Respectfully submitted,

Michele Kennedy  
Executive Secretary