

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
DECEMBER 7, 2016**

Pledge of Allegiance

ROLL CALL

The Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, December 7, 2016 and was called to order at 6:30 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Arthur Miklosey, Jack Nosti, Ralph Lanuto, and Paul DeNicola. Also present were Jerry Dasti, attorney; Alan Dittenhofer, engineer; Frank Holman, auditor; Deborah Kramer, 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 Meeting of November 2, 2016 - A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of November 2, 2016. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Abstain; Knoeller-Yes. Motion passed.

Closed Session Meeting of November 2, 2016 - A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the closed session minutes of the Regular Meeting of November 2, 2016. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Abstain; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending October 31, 2016 - Mr. Woolf summarized the cash balances for period ending October 31, 2016 as follows: Total cash balance for the unrestricted accounts were \$8,134,540.07, with earnings of \$9,701.55. Total cash balance for the restricted accounts held by the trustee were \$7,061,435.07, with earnings of \$1,494.48. Current period interest on the restricted and unrestricted accounts was \$11,196.03. Year-to-date earnings on all interest bearing accounts were \$63,079.53.

Professional Services Contract 2017 – Mr. Woolf requested authorization to advertise and receive proposals for professional services contract 2017, utilizing the existing weighted criteria. A motion was made by Mr. Miklosey and seconded by Mr. Masciale authorizing advertisement to receive proposals for professional services contract 2017. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

Water Meters and Associated Equipment - 2017 – Mr. Woolf requested authorization to advertise and receive bids for water meters and associated equipment for 2017. A motion was made by Mr. Miklosey and seconded by Mr. Lanuto authorizing the advertisement to receive bids for water meters and associated equipment 2017. Roll call vote: Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

FEMA – Mr. Woolf reported the Authority received the following reimbursement from FEMA: \$647,692.00 for the water meter project, and \$337,399.92 for the electrical upgrades and generator project.

Gov Deals – This item was tabled.

Resolution 2016-62 – Transfer of Funds – Sewer and Water Budget – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Nosti to adopt *Resolution 2016-62, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Transfer of Funds, 2016 Sewer and Water Budget*. Roll call vote: Miklosey-Yes; Nosti-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

BUSINESS REPORT

The business report was submitted for review.

ENGINEER'S REPORT

Resolution 2016-61 – Water Performance Guarantee Release, Closeout Escrow Account - St. Pius Church and Parish Center – On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2016-61, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Water Performance Guarantee Release, Closeout Developer Escrow Account, St. Pius Church and Parish Center, Block 1603, Lot 1.05*. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

Bayonne Avenue Paving – Mr. Dittenhofer stated this project is complete.

ATTORNEY'S REPORT

Personnel Issues – Mr. Dasti stated his office mailed a RICE Notice to an Authority employee.

Calvin Street – Added Assessment Ordinance – Mr. Dasti stated his office is in communication with the Township Attorney attempting to have a Shared Services Agreement entered into, which would be accompanied by an added assessment

Ordinance, thereby assessing each of the benefited vacant property owners for the improvements undertaken at the Authority's cost and expense.

Bond Refinance 2007 – Mr. Dasti stated his office has monitored correspondence from the Authority's finance advisor, The Acadia Group. The bonds in question cannot be called until September 2017. At this time, his office informed the Authority's financial advisor not to refinance the bonds if it would require extending the maturity date. His office will continue to monitor this situation and keep the Authority advised.

Tank No. 2 – Mr. Dasti stated the company that pays rent for the cell tower on Tank No. 2 will be installing a dish.

AUDITOR'S REPORT

Accountant's Status Report – Month Ended October 31, 2016 – Mr. Holman reported both water and sewer revenues had a favorable variance for the month and year to date. Sewer and water expenses had a favorable variance for the month and year to date. User charges on both sewer and water had a favorable variance for the month.

Resolution 2016-57 – Adopt 2017 Sewer and Water Budgets – On recommendation by the Authority's auditor, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2016-57, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Adopt 2017 Sewer and Water Budgets*. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

CORRESPONDENCE

John Zarra, Varuna 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. Nosti and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$111.33 (31,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Karen Bujida, Lakeside Drive North – Requesting relief of utility bill, due to irrigation system leak. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$505.17 (31,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Rosado, Laurel Blvd. – Requesting relief of utility bill, due to outside faucet leak. Since the water from the leak did not go into the sewer system, 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 \$497.15 (62,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

Edward Allegar, Shady Brook Lane – Requesting relief of utility bill, due to outside faucet leak. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$175.19 (27,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Penn, Sinclair Ave. – Requesting relief of utility bill, due to outside faucet leak. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$387.38 (77,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Douglas Edwards, Bowsprit Pt. – Requesting relief of utility bill, due to leak in crawl space. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. Masciale to grant a credit adjustment on the sewer charges in the amount of \$27.53 (7,000 gallons). Roll call vote: Nosti-Yes; Masciale-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Ronald Ferner, Twin River Dr. – Requesting relief of utility bill, due to irrigation system leak. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to grant a credit adjustment on the sewer charges in the amount of \$154.88 (40,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Webb, Laurel Blvd. – Requesting relief of utility bill, due to leak in crawl space. Since the water from the leak did not go into the sewer system, 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 \$683.40 (96,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Kalucki, Sycamore Dr. – Requesting relief of utility bill, due to leak under slab. Since the water from the leak did not go into the sewer system, 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 \$1,376.02 (192,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**OLD
BUSINESS**

Resolution 2016-60 – Emending Salary for Edward Woolf, Executive Director -
Vice Chairman Masciale executed Resolution 2016-60, amending salary for Edward Woolf, Executive Director, which was approved at the November 2nd meeting.

**NEW
BUSINESS**

There was no new business to discuss.

**PUBLIC BUSINESS/
COMMENT**

Diane Washer, Olds Street – Ms. Washer was present to discuss her utility bill. She asked how her bill could register 7,000 gallons of water used considering her home was vacant for an entire month. Mr. Knoeller explained various instances can cause a high bill. A history on the account will be reviewed and someone will inform her of the findings.

Jane Nielson, Station Drive – Ms. Nielson was present to discuss her utility bill. She stated since 2013 her average water usage is between 10,000 and 11,000 gallons. However, her last bill registered at 14,000 gallons of water use. She stated she has outside well water and the LMUA checked for leaks and none were found. She also

asked about the notation on her bill regarding meter change or reset. Mrs. Kramer stated she will have to review her account. Mr. Woolf informed Ms. Nielson that her water meter will be sent out for testing. She will be informed of the results.

Michael Donald, Edgemere Road – Mr. Donald stated he would like to have his water meter checked to make sure it is calibrated correctly.

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 \$312,567.24 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. Miklosey and seconded by Mr. Nosti to adopt the above Resolution. Roll call vote: Miklosey-Yes; Nosti-Yes; Lanuto-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 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. Miklosey 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 and seconded to return to open session. Motion unanimously carried.

Reduction In Force - A motion was made by Mr. Miklosey and seconded by Mr. Masciale approving a Reduction in Force, effective March 31, 2017, to dissolve the bookkeeper/purchasing agent position. Roll call vote: Nosti-Yes; Masciale-Yes; Lanuto-Yes; Miklosey-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