

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
JULY 6, 2016**

Pledge of Allegiance

ROLL CALL

The Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, July 6, 2016 and was called to order at 6:30 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Jack Nosti, Ralph Lanuto, and Paul DeNicola. Also present were Jerry Dasti, attorney; Alan Dittenhofer, engineer; Rodney Haines, 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 June 1, 2016 - A motion was made by Mr. Masciale and seconded by Mr. Lanuto to approve the minutes of the Regular Meeting of June 1, 2016. Roll call vote: Masciale-Yes; Lanuto-Yes; DeNicola-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**INVESTMENT
MANAGER
REPORT**

Brian DiBrino of Northern Advisory Group was present to outline the Authority's investments. Overall, it was a satisfactory report.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending May 31, 2016 - Mr. Woolf summarized the cash balances for period ending May 31, 2016 as follows: Total cash balance for the unrestricted accounts were \$8,022,508.95, with earnings of \$6,369.77. Total cash balance for the restricted accounts held by the trustee were \$5,749,438.30, with earnings of \$1,435.23. Current period interest on the restricted and unrestricted accounts was \$7,805.00. Year-to-date earnings on all interest bearing accounts were \$27,774.58.

Resolution 2016-36 – Appointing Account Clerk – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2016-36, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Mary D’Angelo to the position of Account Clerk*. Roll call vote: Masciale-Yes; Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2016-37 – Appointing Finance Assistant – Mr. Dasti asked this Appointment be discussed in closed session.

Resolution 2016-35 – Time Extension – Lacey Retail Center – On recommendation by the executive director, a motion was made by Mr. Lanuto and seconded by Mr. Nosti to adopt *Resolution No. 2016-35, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Time Extension of Final Water and Sewer Approvals, Lacey Retail Center, Block 409, Lots 29, 35.01, 36 & 37*. Roll call vote: Lanuto-Yes; Nosti-Yes; DeNicola-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

BUSINESS REPORT

The business report was submitted for review.

ENGINEER’S REPORT

Resolution 2016-40 – Amended Final Sewer and Water Approval – 530 & 536 Lacey Road, LLC. – On recommendation by the Authority’s engineer, a motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2016-40, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Amended Final Sewer and Water Approval, 530 Lacey Road & 536 Lacey Road, LLC Site Plan, Block 1621, Lots 1 & 7.01*. Roll call vote: Nosti-Yes; Masciale-Yes; DeNicola-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2016-38 – Permit to Operate – Performance Guarantee Release – Bob’s Square Deal/Mera Holdings, LLC. – On recommendation by the Authority’s engineer, a motion was made by Mr. Nosti and seconded by Mr. DeNicola to adopt *Resolution No. 2016-38, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Permit to Operate, Water & Sewer Systems, Performance Guarantee Release, Bob’s Square Deal – Mera Holdings, LLC, Block 113, Lot 2*. Roll call vote: Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2016-39 – Preliminary Sewer and Water Approval – Nakovich Minor Subdivision – On recommendation by the Authority’s engineer, a motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2016-39, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Sewer and Water Approval, Nakovich Minor Subdivision, Block 1418, Lots 1-10*. Roll call vote: Masciale-Yes; Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Bee Street Water and Sewer Extension - Mr. Dittenhofer stated the permit application has been approved by NJDEP. Mr. Knoeller asked when this project will go out for bid. Mr. Woolf stated the quotations came in higher than the bidding threshold, therefore, the

Authority will supply the materials and bid for labor. Mr. Knoeller asked Mr. Dittenhofer to go out for bid for this project.

Center Street Water and Sewer Extension – Mr. Dittenhofer stated the permit application has been submitted to NJDEP.

Bayonne Avenue Paving – Mr. Dittenhofer stated a bid opening was held on April 28th. A change order was requested from the contractor for connection to the County drainage system. He explained the reason why the connection was removed from the original bid was due to a cost saving factor for the Authority. He will rebid this project before the next meeting.

ATTORNEY'S REPORT

Resolution 2016-41 – Rejection of Bids – Bayonne Avenue Drainage and Roadway Construction – On recommendation by the Authority's attorney, a motion was made by Mr. Nosti and seconded by Mr. DeNicola to adopt *Resolution No. 2016-41, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Rejecting all Bids for the Bayonne Avenue Drainage and Roadway Construction Project*. Roll call vote: Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

Resolution 2016-33 – Separation Agreement – On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2016-33, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Approving and Authorizing Execution of a Separation Agreement with Debra Kipikasha*. Roll call vote: Nosti-Yes; Masciale-Yes; DeNicola-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2016-34 – Accept Maintenance Bond – Final Payment – Electrical Upgrades – On recommendation by the Authority's attorney, a motion was made by Mr. Nosti and seconded by Mr. DeNicola to adopt *Resolution No. 2016-34, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Approve Engineer's Certificate No.3 – Final Payment, and Acceptance of the Maintenance Bond for the Electrical Upgrades to L-2, S-2, FRB-2, L-4 Pump Stations Project*. Roll call vote: Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

530 Lacey Road, LLC – Mr. Dasti stated the Developer's Agreement has been finalized.

AUDITOR'S REPORT

There was no report submitted.

CORRESPONDENCE

Mr. & Mrs. Llewellyn, Laurelwood 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. Nosti and seconded by Mr. Masciale to grant a credit adjustment on the sewer charges in the amount of \$3.48 (3,000 gallons). Roll call vote: Nosti-Yes; Masciale-Yes; DeNicola-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Ralph Ruggiero, Brentwood Rd. – Requesting relief of utility bill, due to faucet leak and slow leak in swimming pool. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. DeNicola to grant a credit adjustment on the sewer charges in the amount of \$250.40 (42,000 gallons). Roll call vote: Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Lacey Self Storage/Thompson, Old Shore Rd. – Requesting relief of utility bill, due to leaky hot water heater 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. Lanuto to grant a credit adjustment on the sewer charges in the amount of \$648.38 (111,000 gallons). Roll call vote: Nosti-Yes; Lanuto-Yes; DeNicola-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Deborah Everett, Center Street – Requesting relief of utility bill, due to broken pipe 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. DeNicola to grant a credit adjustment on the sewer charges in the amount of \$131.90 (27,000 gallons). Roll call vote: Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Michael Blozen, Forest Lane – Requesting relief of utility bill, due to leaky hot water heater. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Nosti and seconded by Mr. DeNicola to grant a credit adjustment on the sewer charges in the amount of \$114.76 (38,000 gallons). Roll call vote: Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Vanda Carey, Hazelton Rd. – Requesting relief of utility bill, due to dishwasher supply line 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. Lanuto to grant a credit adjustment on the sewer charges in the amount of \$706.90 (104,000 gallons). Roll call vote: Nosti-Yes; Lanuto-Yes; DeNicola-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. Masciale questioned the recommendation of sewer credit for Mr. Ruggiero, pointing out that he did not use a pool fill meter. Mr. Woolf explained typically a pool fill meter is issued to a customer for three days. In this case, there was a slow leak and a meter would not suffice. Mr. Masciale suggested to be judicial on future pool filling without the use of a meter.

**OLD
BUSINESS**

530 & 536 Lacey Road, LLC – Chairman Knoeller executed the Developer's Agreement between the Lacey Municipal Utilities Authority and 530 & 536 Lacey Road, LLC.

Mera Holdings, LLC. – Chairman Knoeller executed the Permanent Easement and Right-of-Way Agreement between the Lacey Municipal Utilities Authority and Mera Holdings, LLC.

**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 \$203,213.89 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. Nosti and seconded by Mr. Masciale to adopt the above resolution. Roll call vote: Nosti-Yes; Masciale-Yes; DeNicola-Yes; Lanuto-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 and contract negotiations.
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. Nosti to adopt the above resolution. Roll call vote: Unanimously approved.

Separate minutes were kept on the above closed session.

Mrs. Kramer and Ms. Kennedy were excused from this portion of the meeting.

**RE-OPEN
MEETING**

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

**OTHER
BUSINESS**

Resolution 2016-37 – Appointing Finance Assistant - On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2016-37, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Nicole Kelley to the position of Finance Assistant*. Roll call vote: Masciale-Yes; Nosti-Yes; DeNicola-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary