

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
MARCH 1, 2017**

Pledge of Allegiance

ROLL CALL

The Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, March 1, 2017 and was called to order at 6:30 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Arthur Miklosey, Ralph Lanuto, Alan Baker 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 & Reorganization Meeting of February 1, 2017 - A motion was made by Mr. Miklosey and seconded by Mr. Lanuto to approve the minutes of the Regular & Reorganization Meeting of February 1, 2017. Roll call vote: Miklosey-Yes; Lanuto-Yes; Baker-Yes; Masciale-Abstain; Knoeller-Yes. Motion passed.

Closed Session Meeting of February 1, 2017 - A motion was made by Mr. Miklosey and seconded by Mr. Lanuto to approve the closed Session minutes of the Regular & Reorganization Meeting of February 1, 2017. Roll call vote: Miklosey-Yes; Lanuto-Yes; Baker-Yes; Masciale-Abstain; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending January 31, 2017 - Mr. Woolf summarized the cash balances for period ending January 31, 2017 as follows: Total cash balance for the unrestricted accounts were \$8,858,978.42, with earnings of \$5,705.73. Total cash balance for the restricted accounts held by the trustee were \$4,336,488.57, with earnings of \$2,043.45. Current period interest on the restricted and unrestricted accounts was \$7,749.18. Year-to-date earnings on all interest bearing accounts were \$7,749.18.

Resolution 2017-28 – Award Contract – Water Meters and Advanced Infrastructure 2017 - On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2017-28, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding a Contract for Furnish and Delivery of Water Meters and Advanced Infrastructure 2017 to HD Supply*. Roll call vote: Miklosey-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2017-26 – Sale of Personal Property - On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2017-26, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing the Sale of Personal Property Not Needed for Public Use*. Roll call vote: Masciale-Yes; Miklosey-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2017-27 – Letter of No Interest – Mary Hammett - On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Lanuto to adopt *Resolution 2017-27, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Letter of No Interest, Minor Site Plan, Mary Hammett, Block 226, Lots 7 & 8*. Roll call vote: Miklosey-Yes; Lanuto-Yes; Baker-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Safety Award - Mr. Woolf stated the Authority received a perfect score in complying with the safety incentive program from the New Jersey Joint Insurance Fund. He thanked Darren Coraggio for doing an outstanding job with the Safety Program.

BUSINESS REPORT

The business report was submitted for review. Mr. Knoeller asked about the comparison of the sewer and water penalties to last year. Mrs. Kramer stated the penalties have been consistent, however, they are down from prior years due to the turn-offs.

ENGINEER'S REPORT

Fairview Lane Sanitary Sewer Improvements - Mr. Dittenhofer stated the plans and specifications are being completed for bid. Project will be awarded at the April Board meeting.

ATTORNEY'S REPORT

Calvin Street Added Assessment – Mr. Dasti stated his office has not received a response from the Township's attorney regarding this issue. Mr. Dykoff stated this issue will be discussed at a Township meeting tomorrow.

Water Meter Bid 2017 – Mr. Dasti stated his office reviewed the Bid documents submitted by the apparent lowest responsible bidder.

Professional Contracts 2017 – Mr. Dasti stated his office reviewed contracts submitted by the Authority's Professional Staff and have made recommendations where appropriate.

RICE Notice – Mr. Dasti advised the Board of an update to a New Jersey law pertaining to RICE Notices. He explained that any time discussion is held about any employee about any promotion, demotion, job opening, compensation, termination, etc., that employee must first receive a RICE Notice within 48 hours, even if the discussion is first held by a subcommittee (personnel meetings, finance meetings, etc.). If the full Board intends to discuss those issues about a current or future employee, the RICE Notice provision also applies. The employee has the right to have the issue discussed in open session, as opposed to closed session. According to the Statute, the Notice to the prospective or existing employee must be sent by Certified Mail (but not “Return Receipt Requested”) or by personal hand-delivery.

This law does not apply to union employees.

AUDITOR’S REPORT

Accountant’s Status Report – Month Ended January 31, 2017 – Mr. Holman reported sewer revenues had an unfavorable variance for the month, but a favorable variance on water. Sewer and water expenses had a favorable variance for the month and year to date. User charges on both sewer and water had an unfavorable variance for the month. Mr. Holman stated field work has begun for the 2016 audit, and a finance committee meeting will be scheduled for April.

CORRESPONDENCE

Doris Klein, Capstan Drive – Requesting relief of their utility bill, due to underground service leak located after the meter pit. 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 \$4.64 (4,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

George Ogilvie, Hillside Place – Requesting relief of utility bill, due to high usage. Since the basis of the excessive usage was due to a toilet issue, a waiver of the service charges could not be supported. Customer will be offered a payment plan. Mr. Knoeller asked that Mr. Dasti provide verbiage explaining why the water charges cannot be waived. A motion was made by Mr. Miklosey and seconded by Mr. Masciale to offer customer payment plan. Roll call vote: Miklosey-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Frederick Ciampa, Cedar Drive - 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. Miklosey and seconded by Mr. Masciale to grant a credit adjustment on the sewer charges in the amount of \$307.52 (67,000 gallons). Roll call vote: Miklosey-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Tina Verone, Holmes Ave. – Mrs. Verone was present to request relief of her utility bill. She explained the outside water spicket was leaking and has since been fixed. Mr. Knoeller stated the Authority will have to review her letter/documentation and address it at the next meeting.

**OLD
BUSINESS**

Professional Services Agreement – Richard Meinders, P.C. – Authority Conflict Attorney – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Richard Meinders, P.C.

Professional Services Agreement – Connor Strong & Buckalew – Authority Risk Management Consultant – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Connor Strong & Buckalew.

Professional Services Agreement – Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors - Authority Attorney – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors.

Professional Services Agreement – William E. Antonides, Jr. – Authority Accounting Consultant – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors.

**NEW
BUSINESS**

Dump Truck - Mr. Knoeller stated the LMUA has a 1989 truck and was considering retrofitting it with a dump truck body, which would cost approximately \$27,000.00. However, he recommends looking for a truck in the low 2000's for around \$30-\$35,000.00 that can be brought outright and in much better condition.

**PUBLIC BUSINESS/
COMMENT**

There was no public business/comment.

**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. Miklosey and seconded by Mr. Lanuto 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.

**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 \$883,834.44 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. Masciale to adopt the above Resolution. Roll call vote: Miklosey-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary