

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
MARCH 14, 2018**

Pledge of Allegiance

ROLL CALL

The Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, March 14, 2018 and was called to order at 6:30 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Jack Nosti, Arthur Miklosey, Ralph Lanuto, Alan Baker, and Paul DeNicola. Also present were Jerry Dasti, attorney; Alan Dittenhofer, engineer; Frank Holman, auditor; 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 7, 2018 - A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular & Reorganization Meeting of February 7, 2018. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Abstain; Knoeller-Yes. Motion passed.

Closed Session Meeting of February 7, 2018 - A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the minutes of the Closed Session Meeting of February 7, 2018. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Abstain; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending January 31, 2018 - Mr. Woolf summarized the cash balances for period ending January 31, 2018 as follows: Total cash balance for the unrestricted accounts were \$10,926,309.62, with earnings of \$11,817.23. Total cash balance for the restricted accounts held by the trustee were \$3,029,552.77, with earnings of \$3,036.57. Current period interest on the restricted and unrestricted accounts was \$14,853.80. Year-to-date earnings on all interest bearing accounts were \$14,853.80.

Resolution 2018-35 – Award Furnish & Delivery of Water Meters and AMI Smartpoint Radio Units – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Nosti to adopt *Resolution 2018-35, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Furnish & Delivery of Water Meters and AMI Smartpoint Radio Units 2018*. Roll call vote: Miklosey-Yes; Nosti-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2018-34 – Appoint Conflict and Special Projects Engineer - On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2018-34, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Maser Consulting P.A. as Authority Conflict and Special Projects Engineer*. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-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. Additionally, the Authority had one-year without a loss time accident. He thanked Darren Coraggio for doing an outstanding job with the Safety Program.

Public Official Training – Mike Avalone from MEL/JIF will be conducted a training session at the April 4th meeting at 6:00 p.m. that will reduce the LMUA's liability premium by \$250.00 for each Commissioner attending the training.

**BUSINESS
REPORT**

The business report was submitted for review.

**ENGINEER'S
REPORT**

Resolution 2018-33 – Preliminary and Tentative Sewer and Water Approval – Dollar General Retail Store – Forked River, DG, LLC – Mr. Dittenhofer reported his office received the application and plans for preliminary and tentative sewer and water approval for Forked River, DG, LLC, Block 113, Lot 14. The applicant is proposing to construct a 7,531 SF Dollar General store at the intersection of Route 9 and Beach Boulevard, in the northeast corner. The applicant proposes to connect to the existing water main in Beach Boulevard and install a 1" water service for the building. The applicant also proposes to connect to the existing sanitary sewer main in Beach Boulevard and install a 4" lateral for the building. On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution No. 2018-33, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary and Tentative Sewer and*

Water Approval, Dollar General Retail Store, Forked River, DG, LLC, Block 113, Lot 14. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

New Administration Building – Mr. Dittenhofer stated a preconstruction meeting with the Building Department was held on March 1st with Shorelands Construction Inc. for the building and site work. Shorelands is scheduled to start site preparation Monday, March 5th. Notice to Proceed for the sewer extension was issued by RV&V on February 15th. Construction is anticipated to start mid-March.

Cleaning and Televising Sanitary Sewers – Phase 8 – Mr. Dittenhofer stated his office is proposing spot repairs of existing system within Lanoka Harbor to reduce water infiltration. Project will be bid the week of March 5th.

ATTORNEY'S REPORT

Resolution 2018-32 – Acceptance of a Deed of Conveyance – On recommendation by the Authority's attorney, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to adopt *Resolution 2018-32, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Acceptance of a Deed of Conveyance of a portion of Block 1827, Lots 4.01 and 4.02 from the Township of Lacey.* Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Legal Opinions 2018 – Mr. Dasti stated his office provided to the Authority a useful review of a recent Appellate Division decision concerning OPRA requests for executive session minutes, which have not yet been approved by an Authority.

107 North Main Street – Operations Agreement – Mr. Dasti stated his office forwarded to the Authority for review and execution of the Operations Agreement.

Verizon Wireless Lease on Hill Street Water Tank – Mr. Dasti stated his office is expected to receive additional correspondence from representatives of Verizon concerning a site inspection for work they need to undertake.

SeaBreeze at Lacey, Section 2, Phase 2G – Mr. Dasti stated his office has reviewed and approved the water and sewer performance bonds.

AUDITOR'S REPORT

Accountant's Status Report – Month Ended January 31, 2018 – Mr. Holman reported sewer revenues had an unfavorable variance for the month, but favorable variance on water. Sewer and water expenses had a favorable variance for the month and year-to-date. Sewer and water user charges had an unfavorable variance for the month and year-to-date.

CORRESPONDENCE

Teresa Thomson, Penn Ave. No. – Requesting relief of utility bill, due to unexplained high usage. Since there was no leak to justify relief, the Commissioners agreed to grant a payment plan to pay the past due balance.

Heather Linger, Merrimac Rd. – Requesting relief of utility bill, due to pipe 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 \$8.12 (7,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Louise Pesci, Juniper Lane – Requesting relief of utility bill, due to pipe 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 \$91.63 (30,000 gallons). Roll call vote: Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Tori Freiday, Brentwood Rd. – Requesting relief of utility bill, due to unexplained high usage. Since there was no leak to justify relief, the Commissioners agreed to grant a payment plan to pay the past due balance.

George Ogilvie/Marina Ogilvie, Hillside Place – Requesting relief of utility bill, due to unexplained 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.

Lillian Compton/Marina Ogilvie, Brookdale Place – Requesting relief of utility bill, due to water heater 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 \$202.28 (46,000 gallons). Roll call vote: Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Pauline Fantacone, Tappan St. – 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 \$148.80 (49,000 gallons). Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Steven Pascucci, Tampa Rd. – Requesting relief of utility bill, due to pipe 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 \$1,417.00 (210,000 gallons). Roll call vote: Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**OLD
BUSINESS**

Resolution 2018-27 – Merit Increase – Troy Burton – Secretary Nosti executed Resolution 2018-27 memorializing action taken February 7, 2018 authorizing merit increase for Troy Burton.

Resolution 2018-28 – Merit Increase – Darren Coraggio – Secretary Nosti executed Resolution 2018-28 memorializing action taken February 7, 2018 authorizing merit increase for Darren Coraggio.

Resolution 2018-29 – Merit Increase – Michele Kennedy – Secretary Nosti executed Resolution 2018-29 memorializing action taken February 7, 2018 authorizing merit increase for Michele Kennedy.

Resolution 2018-30 – Merit Increase – Deborah Kramer – Secretary Nosti executed Resolution 2018-30 memorializing action taken February 7, 2018 authorizing merit increase for Deborah Kramer.

Resolution 2018-36 – Salary Increase – Edward Woolf – Secretary Nosti executed Resolution 2018-36 memorializing action taken February 7, 2018 authorizing salary increase for Edward Woolf.

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

Professional Services Agreement – Remington & Vernick, Engineers - Authority Engineer – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Remington & Vernick Engineers.

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 – Gluck Walrath - Authority Bond Counsel – Chairman Knoeller executed the Professional Services Agreement between the Lacey Municipal Utilities Authority and Gluck Walrath.

Form of Contract – Water Meters – Core & Main – Chairman Knoeller executed Form of Contract between the Lacey Municipal Utilities Authority and Core & Main for Furnish and Delivery of Water Meters and AMI SmartPoint Radio Units.

Teamsters Local 97 of New Jersey Collective Bargaining Agreement – Chairman Knoeller and Secretary Nosti executed the Collective Bargaining Agreement between Lacey Municipal Utilities Authority and Teamsters Local 97 of New Jersey.

**NEW
BUSINESS**

Mr. DeNicola asked if the Authority has any intention on selling water. Mr. Knoeller stated the intention is there, however, it is a matter of how to do it. Mr. Dittenhofer stated this may be an opportune time for the Authority to approach Berkeley Township again, due to the fact there are issues with Aqua and the residents are complaining about the quality of water. Mr. Woolf asked if they have an interconnection with the Berkeley MUA. Mr. Dittenhofer stated they do. Mr. Knoeller asked Mr. Dittenhofer and Mr. Dasti to set up a meeting with Berkeley Township's attorney to discuss this issue further. He and Mr. DeNicola will also attend the meeting. Mr. DeNicola stated the mayor of Berkeley, Carmen Amato, the mayor has expressed interest.

**PUBLIC BUSINESS/
COMMENT**

Regina Discenza, Sunset Drive – Mrs. Discenza asked what Tier is 107 North Main Street project in. Mr. Dittenhofer stated it is in Tier 1.

**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.
3. It is anticipated at this time that the above-stated matters will be made public once this matter 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.

**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 \$1,152,466.19 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; Lanuto-Yes; Nosti-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