

**LACEY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
NOVEMBER 7, 2018**

Pledge of Allegiance

**ROLL CALL**

The Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, November 7, 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; Brian Waldron, 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 October 3, 2018** - A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of October 3, 2018. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Closed Session Meeting of October 3, 2018** - A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the minutes of the Closed Session Meeting of October 3, 2018. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE  
DIRECTOR'S  
REPORT**

**Cash Balance Report - Period Ending September 30, 2018** - Mr. Woolf summarized the cash balances for period ending September 30, 2018 as follows: Total cash balance for the unrestricted accounts were \$9,561,595.21, with earnings of \$6,445.80. Total cash balance for the restricted accounts held by the trustee were \$5,323,019.25, with earnings of \$4,283.35. Current period interest on the restricted and unrestricted

accounts was \$10,729.15. Year-to-date earnings on all interest bearing accounts were \$133,222.63.

**Resolution 2018-71 – Line Item Transfers** – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mr. Lanuto to adopt *Resolution 2018-71, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Transfer of Funds, 2018 Sewer and Water Budget*. Roll call vote: Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2018-65 – Award Contract** – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2018-65, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Award of Contract, 2018-2019 Pump Maintenance & Repairs, Motors & Drives, Inc.* in the amount of \$33,732.00. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Water Treatment Chemicals 2019** - Mr. Woolf requested authorization to advertise and receive bids for water treatment chemicals 2019. A motion was made by Mr. Masciale and seconded by Mr. Miklosey authorizing the advertisement to receive bids for water treatment chemicals 2019. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

## **BUSINESS REPORT**

The business report was submitted for review.

## **ENGINEER'S REPORT**

**Resolution 2018-67 – Final Sewer and Water Approvals – Lacey Town Village Phase 1 – M & T at Lacey, LLC.** – Mr. Dittenhofer reported his office received the applications and plans for final sewer and water approvals for Lacey Town Village Phase 1, Block 739.01, Lots 2.06, 2.07, 7.04 & Block 739.02, Lot 7.02, M & T at Lacey, LLC. The applicant is proposing to construct six (6) 3-story condominium buildings with a total of 144 units and a 5,941 SF clubhouse on the southern side of Laurel Boulevard, east of Railroad Avenue. The applicant proposes to install two (2) wet taps, one on Laurel Boulevard and one on Route 9 and install an 8" DIP water main loop to service the buildings. The applicant also proposes to connect to the existing sewer main located in South Street with a doghouse manhole and extend 7" PVC sewer main to service the buildings. On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution No. 2018-67, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Final Sewer and Water Approval, Lacey Town Village Phase 1, Block 739.01, Lots 2.06, 2.07, 7.04 & Block 739.02, Lot 7.02, M & T at Lacey, LLC*. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Resolution 2018-68 – Performance Guarantee Release – Lacey Family Apartments – Phase 1** – On recommendation by the Authority's engineer, a motion was made by Mr. Nosti and seconded by Mr. Miklosey to adopt *Resolution No. 2018-68, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Performance Guarantee Release, Lacey Family Apartments Phase 1, Block 1837, Lots*

8.02 & 9. Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2018-69 – Performance Guarantee Release – Lacey Family Apartments – Phase 2** – On recommendation by the Authority’s engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution No. 2018-69, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Performance Guarantee Release, Lacey Family Apartments Phase 2, Block 1837.01, Lots 3.01, 4.02, 8.03 & 8.04.* Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Change Order No 1 – New Administration Building** – On recommendation by the Authority’s engineer, a motion was made by Mr. Nosti and seconded by Mr. Miklosey approving Change Order No. 1 representing the installation of a 4” gas service from the bus garage to the generator at the new administration building for a net contract increase of \$59,117.00. Roll call vote: Nosti-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

#### ATTORNEY’S REPORT

**Lacey MUA Administration Building** – Mr. Dasti stated his office reviewed the Notice to Proceed from Remington & Vernick and contract documents concerning the most recent contract involving background checks. In addition, his office received the recorded Deed Consolidation.

**M & T at Lacey, LLC (Lacey Town Village)** – Mr. Dasti stated his office reviewed correspondence from the Authority’s consulting engineer concerning the application.

**LIDL Grocery Store** – Mr. Dasti stated his office reviewed correspondence from the Authority’s consulting engineer concerning the application.

**Legal Opinions** – Mr. Dasti stated he forwarded to the executive director an opinion concerning recent legislation entitled “Diane B. Allen Equal Pay Act”. This will involve extensive paperwork and time on behalf of the Authority and staff. His office is willing to assist the Authority in this regard.

#### AUDITOR’S REPORT

**Accountant’s Status Report – Month Ended September 30, 2018** – Mr. Waldron reported sewer revenues had an unfavorable variance for the month, but favorable year-to-date. Water 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. Sewer and water user charges had an unfavorable variance for the month and year-to date.

**Resolution 2018-70 – Approval of 2019 Sewer and Water Budget** – A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the 2019 sewer and water budget. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Resolution 2018-70a– Submittal of 2019 Sewer and Water Budget** – A motion was made by Mr. Miklosey and seconded by Mr. Masciale to submit the 2019 sewer and water budget to the State. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

## CORRESPONDENCE

**Kathleen Nagy/Donna Policastro, Laurel Blvd.** – 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. Miklosey and seconded by Mr. Masciale to grant a credit adjustment on the sewer charges in the amount of \$297.30. Roll call vote: Miklosey-Yes; Masciale-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Karen Budija, Lakeside Drive No.** – Requesting relief of utility bill, due to irrigation system leak. Based upon the information provided, a waiver of the service charges could not be supported. The recommendation was to offer customer a payment plan. A motion was made by Mr. Masciale and seconded by Mr. Miklosey offering customer a payment plan to pay the past due balance on the account. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Louisa Faccione, Evans Street** – Requesting relief of utility bill, due to high usage from use of irrigation system without a meter. Since the customer is a new resident and was unaware of the availability of an irrigation meter, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to grant a one-time adjustment on the sewer charges in the amount of \$403.18. Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**Richard Holzer** – Requesting relief of utility bill, due to high usage due to soaker hose. Since the basis of the high usage was due to tenant using a soaker hose, a waiver of the service charges could not be supported.

**Mr. & Mrs. Taddeo, Holmes Ave.** – Requesting relief of utility bill, due to high usage from use of irrigation system without a meter. Since the customer is a new resident and was unaware of the availability of an irrigation meter, a motion was made by Mr. Nosti and seconded by Mr. Lanuto to grant a one-time adjustment on the sewer charges in the amount of \$480.70. Roll call vote: Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Mr. DeNicola asked if new customers receive a “new customer package” from the Lacey MUA. Mrs. Kramer stated new customers receive a welcome letter that informs them on when they will be billed. It does not specifically mention irrigation and/or pool fill meters. Mr. Knoeller recommended the irrigation and pool fill meter information be included in the welcome package.

**Deborah Molloy, Elwood Street** – 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. Masciale to grant a credit adjustment on the sewer charges in the amount of \$559.08. Roll call vote: Nosti-Yes; Masciale-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Mrs. Sutter, Sunset Dr.** – Mrs. Sutter were present requesting relief of utility bill, due to broken water supply line. Since the water from the leak did not go into the sewer system, a motion was made by Mr. Masciale and seconded by Mr. Nosti to grant a credit adjustment on the sewer charges in the amount of \$460.00, as well as a payment plan. Roll call vote: Masciale-Yes; Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Eugene Stuchinsky, Stephaine Ct.** – Mr. Stuchinsky is questioning the accuracy of his water meter. Mr. Woolf explained the customer’s water meter has been measuring less water than has actually been used. Also, the customer indicated there were leaks prior to purchasing the home, therefore, he recommends no relief. Mr. Baker pointed out it is a defective meter regardless of lower than normal usage. Mr. Knoeller recommended this issue be Tabled until further investigation.

**Jeremy Roberts, Dewy Dr.** – Mr. Roberts is requesting relief of utility his bill, due to high usage. Mr. Woolf stated the large bill was due to a water leak prior to ownership of the home. The home was purchased from a sheriff’s sale, therefore, there were no water meter readings. Since the basis of the leak was incurred prior to purchasing the home, a waiver of the service charges could not be supported. A motion was made by Mr. Masciale and seconded by Mr. Nosti to grant additional time to pay the past due balance. Roll call vote: Masciale-Yes; Nosti-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**OLD  
BUSINESS**

Mr. Nosti addressed Resolution 2018-62 that was voted on at the October 3<sup>rd</sup> Board meeting, Interlocal Services Agreement with the Township of Lacey – Improvements to East Lacey Road. After discussing the matter, he asked that his vote be changed from “yes” to “no”.

**NEW  
BUSINESS**

Mr. DeNicola indicated the new customer “welcome package” will include information on irrigation and pool meters.

**PUBLIC  
COMMENT**

There was no public 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 \$1,144,441.53 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 potential litigation and personnel matter.
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. Masciale to adopt the above resolution. Roll call vote: Unanimously approved.

Separate minutes were kept on the above closed session.

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Michele Kennedy  
Executive Secretary

