

**LACEY MUNICIPAL UTILITIES AUTHORITY
REORGANIZATION AND REGULAR MEETING
FEBRUARY 2, 2022**

Pledge of Allegiance

ROLL CALL

The Reorganization and Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, February 2, 2022 and was called to order at 6:30 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Jack Nosti, Ralph Lanuto, Alan Baker, Karen MacArthur and Jeff Nilon. Also present were Brian Waldron, auditor; Alan Dittenhofer, engineer; Chris Dasti, Esq., attorney; Deborah Kramer, office manager, and Edward A. Woolf, executive director. Mark Dykoff, Lacey MUA/Township Committee liaison also attended the meeting.

Karen MacArthur was sworn in as Alternate No. 1 of the Lacey Municipal Utilities Authority.

Jeff Nilon was sworn in as Alternate No. 2 of the Lacey Municipal Utilities Authority.

**“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.

REORGANIZATION

Chairman – A motion was made by Mr. Masciale and seconded by Mr. Nosti to appoint James Knoeller as Authority Chairman. Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Abstain. Motion passed.

Vice Chairman – A motion was made by Mr. Lanuto and seconded by Mr. Nosti to appoint Michael Masciale as Authority Vice Chairman. Roll call vote: Lanuto-Yes; Nosti-Yes; Baker-Yes; Masciale-Abstain; Knoeller-Yes. Motion passed.

Secretary – A motion was made by Mr. Masciale and seconded by Mr. Lanuto to appoint Jack Nosti as Authority Secretary. Roll call vote: Masciale-Yes; Lanuto-Yes; Baker-Yes; Nosti-Abstain; Knoeller-Yes. Motion passed.

Treasurer – A motion was made by Mr. Masciale and seconded by Mr. Nosti to appoint Ralph Lanuto as Authority Treasurer. Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Abstain; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-06- AUTHORIZE REGULAR MEETING SCHEDULE

A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2022-06, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Regular Meeting Schedule*. Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

**PROFESSIONAL
APPOINTMENTS**

Mr. Woolf stated the administrative staff of the Authority received and reviewed the submissions of qualifications for professional service contracts. The Fair and Open process was utilized in determining the most qualified professionals; therefore, he recommends the following professionals be appointed to the Lacey Municipal Utilities Authority.

RESOLUTION NO. 2022-07 - APPOINT ENGINEER – REMINGTON AND VERNICK ENGINEERS

- A motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution No. 2022-07, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing the Firm Remington and Vernick Engineers as Authority Consulting Engineers*. Roll call vote: Nosti-Yes; Lanuto-Yes; Baker-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-08 – APPOINT ATTORNEY – CHRISTOPHER J. DASTI

– A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2022-08, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Christopher J. Dasti as Authority Attorney*. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-09 – APPOINT AUDITOR – HOLMAN, FRENIA & ALLISON, PC

– A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2022-09, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing the Firm Holman, Frenia, & Allison P.C as Authority Auditor*. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-10 – APPOINT LABOR COUNSEL – CHRISTOPHER J. DASTI

– A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2022-10, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Christopher J. Dasti, Esq. as Authority Labor Counsel*. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-11 – APPOINT BOND COUNSEL – GLUCK WALRATH, LLP

– A motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution No. 2022-11, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Gluck Walrath, LLP as Authority*

Bond Counsel. Roll call vote: Nosti-Yes; Lanuto-Yes; Baker-Yes; Masciale-Yes; Knoeller-Yes. Motion passed

RESOLUTION NO. 2022-12 – APPOINT RISK MANAGEMENT CONSULTANT CONNOR STRONG COMPANIES, INC. – A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2022-12, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Connor Strong Companies, Inc. as Authority Risk Management Consultant.* Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed

RESOLUTION NO. 2022-13 – APPOINT PUBLIC AGENCY COMPLIANCE OFFICER – EDWARD A. WOOLF – A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2022-13, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Edward A. Woolf as Public Agency Compliance Officer, P.L. 1975, c. 127.* Roll call vote: Nosti-Yes; Masciale-Yes; Lanuto-Yes; Baker-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-14 – APPOINT PERSONNEL OFFICER – EDWARD A. WOOLF – A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2022-14, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Edward A. Woolf as Personnel Officer.* Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-15 – APPOINT FUND COMMISSIONERS AND ALTERNATE FUND COMMISSIONER TO THE NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND – A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2022-15, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Fund Commissioners and Alternate Fund Commissioner for the New Jersey Utilities Authorities Joint Insurance Fund.* Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-16 – APPOINT COMPANY PHYSICIAN – WORKNET OCCUPATIONAL MEDICINE – A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2022-16, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing WORKNET Occupational Medicine as Company Physician.* Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-17 – APPOINT COMPUTER CONSULTANT – CSI COMPUTERS – A motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution No. 2022-17, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing CSI Consultants Computer Consultant.* Roll call vote: Nosti-Yes; Lanuto-Yes; Baker-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-18 – APPOINT COMPANY ACCOUNTING CONSULTANT - WILLIAM E. ANTONIDES AND COMPANY – A motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution No. 2022-18, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New*

Jersey, Appointing William E. Antonides and Company as Accounting Consultant. Roll call vote: Nosti-Yes; Lanuto-Yes; Baker-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

RESOLUTION NO. 2022-19 – APPOINT FINANCIAL ADVISOR – ACACIA FINANCIAL – A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2022-19, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Acacia Financial Group.* Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

**APPROVAL
OF MINUTES**

Regular Meeting of January 5, 2022 - A motion was made by Mr. Masciale and seconded by Mr. Lanuto to approve the minutes of the Regular Meeting of January 5, 2022. Roll call vote: Masciale-Yes; Lanuto-Yes; Baker-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending December 31, 2021 - Mr. Woolf summarized the cash balances for period ending December 31, 2021 as follows: Total cash balance for the unrestricted accounts were \$10,992,061.35 with earnings of \$13,442.06. Total cash balance for the restricted accounts held by the trustee were \$2,420,617.73 with earnings of \$3,550.73. Current period interest on the restricted and unrestricted accounts was \$16,992.79. Year-to-date earnings on all interest bearing accounts were \$208,950.74.

OCUA Sewage Disposal – Mr. Woolf reported a considerable amount of money has been spent to repair major leaks in the Authority's sewer collection system. He is happy to report the repairs have been successful. Up until October the Authority was averaging 65 million gallons per month to the OCUA at a rate of \$4,039 dollars per million gallons. Those numbers are down to 58 million gallons per month. It is approximately 5 or 6 million per month savings at a rate of \$4,039, which is a savings of \$20,000-\$30,000 per month from repairing those leaks.

**BUSINESS
REPORT**

The business report was submitted for review.

**ENGINEER'S
REPORT**

Antenna Read and Meter/MXU Replacement I – Mr. Dittenhofer reported a pre-construction meeting was held on 11/10/21 and notice to proceed was issued 11/12/21. The installation of the fixed base antenna read system is anticipated for March of 2022. Due to extended lead times the manufacturer is not able to provide the equipment until March of 2022.

Cleaning, Televising and Sewer Rehabilitation – Mr. Dittenhofer reported base bid work has been completed by Sewer Rat LLC including cleaning, televising and manhole rehabilitation. All additional manhole rehabilitation is low lying areas has been substantially completed. Final inspection is being performed of the rehabilitated manholes. A Change Order will be prepared for the additional manhole rehabilitation performed to improve water infiltration.

Pole Barn – Mr. Dittenhofer reported construction of the Pole Barn is complete. His office issued a change order in the amount of \$3,024.00 for additional paving that was performed. After final inspection is complete and all items are satisfactory, his office will work on completing final payment and project closeout documents.

Route 9 Water Service – Mr. Dittenhofer reported his office is preparing the plans and NJDOT permit application for the Jack and Bore under Route 9. This project is on hold until the developer's agreement is signed and the escrow account has been established.

**ATTORNEY'S
REPORT**

Lacey Township Board of Education – Jerry Dasti's attorney's report reflects that the Lease Agreement be finalized. Mr. Knoeller asked Mr. Chris Dasti to review the Lease Agreement to be voted on at the next meeting.

**AUDITOR'S
REPORT**

Accountant's Status Report – Month Ended December 31, 2021 – Mr. Waldron reported sewer and water revenues had an unfavorable variance for the month. Sewer expenses had an unfavorable variance for the month, favorable expenses on water. Sewer and water user charges had a favorable variance for the month.

CORRESPONDENCE

Kaitlyn Herbst, Calvin St. – 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. Masciale to grant an adjustment on the sewer charges in the amount of \$364.70 (64,000 gallons). Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Smith, Georgetown Lane – Requesting relief of utility bill, due to a toilet leak. Since the basis of high usage was due to a toilet leak, a waiver could not be supported. A motion was made by Mr. Nosti and seconded by Mr. Masciale to offer customer payment plan. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Frederick Timcoe, Bobwhite Ct. - Requesting relief of utility bill, due to a pipe 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. Nosti to grant an adjustment on the sewer charges in the amount of \$2,655.92 (360,000 gallons). Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

**OLD
BUSINESS**

There was no old business to discuss.

**NEW
BUSINESS**

There was no new business to discuss.

**PUBLIC BUSINESS/
COMMENT**

Regina Discenza – Mrs. Discenza stated she observed rock salt still being used at the Home Depot site for snow clearing purposes. Mr. Dykoff stated this issue was discussed at a Township Committee meeting and he asked Ms. Laureigh to contact the Home Depot management company regarding this issue. Mr. Woolf stated he hand delivered a letter to each of the stores on the pad site with a copy of the snow clearing material information and spoke with each manager. The management company was also contacted. He stated after the most recent snow storm he inspected the site and noticed rock salt was used. He contacted code enforcement and will follow up. Mr. Knoeller asked Mr. Chris Dasti to review the operations agreement. He pointed out there is no enforcement since there is no Township ordinance. He asked Mr. Dasti to communicate to the management company should the Authority clean up the rock salt they will be billed. NJDEP can also be notified.

Alison Lemke – Ms. Lemke stated she is aware there is a wellhead protection ordinance and a plan in place for the monitoring of the wells at the Home Depot site and is concerned if it is properly monitored. Mr. Knoeller stated monitoring protocol has been followed and the Authority receives copies of the water analysis reports of those monitoring wells and all is in compliance. Ms. Lemke also stated she is also concerned with pesticides from the garden center when Home Depot puts out their merchandise into the parking lot. The drainage in the garden center is supposed to be away from the wellhead protection area not toward the wells.

**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 \$331,661.80 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. Lanuto and seconded by Mr. Masciale to adopt the above resolution. Roll call vote: Lanuto-Yes; Masciale-Yes; Baker-Yes; Nosti-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 matter.

2. The general nature of this closed session concerns contract negotiations and 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.

5.

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.

**RE-OPEN
MEETING**

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

Resolution 2022-02 – Salary Increases – Non-Union – Non-Contract – On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution 2022-02, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Establishing Salary Increases for Non-Union, Non-Contract Employees of the Lacey Municipal Utilities Authority*. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2022-03 – Amending Policy – Licensed Operator Pay – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Lanuto to adopt *Resolution 2022-03, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Amending and Modifying Policy No. 316, Licensed Operator Pay of the Personnel Policy Handbook*. Roll call vote: Masciale-Yes; Lanuto-Yes; Baker-Yes; Nosti-Yes; Knoeller-Yes. Motion passed.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary

