

**LACEY MUNICIPAL UTILITIES AUTHORITY
REORGANIZATION AND REGULAR MEETING
FEBRUARY 1, 2023**

Pledge of Allegiance

ROLL CALL

The Reorganization and Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, February 1, 2023 and was called to order at 6:00 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 and Pam Hilla, engineers; Chris Dasti, Esq., attorney; Deborah Kramer, office manager, and Edward A. Woolf, executive director.

**“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. 2023-04- AUTHORIZE REGULAR MEETING SCHEDULE

A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2023-04, 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. 2023-05 - APPOINT ENGINEER – REMINGTON AND VERNICK ENGINEERS

- A motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution No. 2023-05, 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. 2023-06 – APPOINT ATTORNEY – CHRISTOPHER J. DASTI

– A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2023-06, 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. 2023-07 – APPOINT AUDITOR – HOLMAN, FRENIA & ALLISON, PC

– A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2023-07, 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. 2023-08 – APPOINT LABOR COUNSEL – CHRISTOPHER J. DASTI

– A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2023-08, 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. 2023-09 – APPOINT BOND COUNSEL – GLUCK WALRATH, LLP

– A motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution No. 2023-09, 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. 2023-10 – APPOINT RISK MANAGEMENT CONSULTANT CONNOR STRONG COMPANIES, INC. – A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2023-10, 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. 2023-11 – APPOINT PUBLIC AGENCY COMPLIANCE OFFICER – EDWARD A. WOOLF - A motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution No. 2023-11, 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. 2023-12 – APPOINT PERSONNEL OFFICER – EDWARD A. WOOLF – A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2023-12, 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. 2023-13 – 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. 2023-13, 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. 2023-14 – APPOINT COMPANY PHYSICIAN – WORKNET OCCUPATIONAL MEDICINE – A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2023-14, 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. 2023-15 – APPOINT COMPUTER CONSULTANT – CSI COMPUTERS – A motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution No. 2023-15, 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. 2023-17 – APPOINT FINANCIAL ADVISOR – ACACIA FINANCIAL – A motion was made by Mr. Masciale and seconded by Mr. Nosti to adopt *Resolution No. 2023-17, 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 4, 2023 - A motion was made by Mr. Nosti and seconded by Mr. Masciale to approve the minutes of the Regular Meeting of January 4, 2023. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending December 31, 2022 - Mr. Woolf summarized the cash balances for period ending December 31, 2022 as follows: Total cash balance for the unrestricted accounts were \$8,781,824.25 with earnings of \$10,073.47. Total cash balance for the restricted accounts held by the trustee were \$1,388,399.37 with earnings of \$4,471.49. Current period interest on the restricted and unrestricted accounts was \$14,544.96. Year-to-date earnings on all interest bearing accounts were \$200,586.73.

Water Meter Replacement 2023 - Mr. Woolf requested authorization to advertise and receive bids for water meter replacement 2023. A motion was made by Mr. Nosti and seconded by Mr. Lanuto to authorize advertisement to receive bids for water meter replacement. Roll call vote: Nosti-Yes; Lanuto-Yes; Baker-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2023-20 – Purchase of Electricity Supply Services – On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution 2023-20, Resolution of the Lacey Municipal Utilities Authority, County of Ocean State of New Jersey, Authorizing the Purchase of Electricity Supply Services for Public Use on an Online Auction Website*. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2023-21 – Letter of No Interest – Lacey Township – Parkers Point Boulevard – On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution 2023-21, Resolution of the Lacey Municipal Utilities Authority, County of Ocean State of New Jersey, Letter of No Interest, Lacey Township – 25 & 27 Parkers Point Boulevard*. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Amend 2023 Water Budget – Mr. Woolf requested authorization to amend the 2023 Water Operating Budget by \$70,000.00. A motion was made by Mr. Masciale and seconded by Mr. Nosti authorizing the amendment to 2023 water capital budget by \$70,000.00. Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Resolution 2023-19 – Award Contract – Chemical Supplies – On recommendation by the executive director, a motion was made by Mr. Nosti and seconded by Mr. Lanuto to adopt *Resolution 2023-19, Resolution of the Lacey Municipal Utilities Authority, County of Ocean State of New Jersey, Awarding Contract for the Supply of Water Treatment Chemical Supplies for 2023*. Roll call vote: Nosti-Yes; Lanuto-Yes; Baker-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**BUSINESS
REPORT**

The business report was submitted for review.

**ENGINEER'S
REPORT**

Resolution 2023-18 – Preliminary and Tentative Sewer and Water Approval – The Lofts at Lacey - On recommendation by the engineer, a motion was made by Mr. Nosti and seconded by Mr. Masciale to adopt *Resolution 2023-18, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary and Tentative Sewer and Water Approval, The Lofts at Lacey – M & T At Lacey, LLC, Block 739, Lot 7.02; Block 739.01, Lots 2.06, 2.07, 7.03 & 7.04*. Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed. Mr. Knoeller asked RVE approval letter be amended informing applicant that additional grease traps will be required in event additional restaurants are proposed in this project.

Antenna Read and Meter/MXU Replacement I – The installation of both fixed base antenna read systems has been completed and Core and Main has completed the integration of the fixed base system with Lacey MUA's existing meters. All MXUs per the contract have been delivered to Lacey MUA. Lacey MUA will be completing the meter and MXU installations in house. RVE will work on preparing final closeout documents with Core and Main.

Route 9 Water Service – RVE is working with Lacey MUA to have electric run to the vault, no change.

Holtec Route 9 Service – Holtec has ordered requested meters, long lead time on meter is anticipated, no change.

Beach Boulevard Sewer Rehabilitation – Lining of sanitary sewer mains has been completed. Punchlist items remain, however, the project is substantially complete at this time.

Meter Replacement Phase 2 – Contracts were issued to Core and Main, LLC, upon receipt and signature by Lacey MUA a Notice to Proceed will be issued.

Water Treatment Plant #2 Replacement Generator and Diesel Tank – RVE is in the process of preparing bid plans and specifications for this project for bidding. Bidding is anticipated for February of 2023.

Water Treatment Plant #1 Expansion Report – RVE prepared a preliminary report on the expansion of Treatment Plant No. 1 to increase filtration capacity for the plant. Mrs. Hilla provided the Board with a summary of the report. Mr. Knoeller added what is being proposed is expanding the filtration system to maximize wells 7 & 8. Mr. Dittenhofer stated the first step in the process is setting up a pre-application meeting with the NJDEP. A motion as made by Mr. Masciale and seconded by Mr. Nosti to authorize RVE to do the work needed to make an application to the Bureau of Water Allocation for expansion the Water Allocation Permit. Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

**ATTORNEY'S
REPORT**

Operations Agreement with Agree Realty – Mr. Dasti reported his office is in negotiations with representatives of the Home Depot site with regard to reimbursement of costs to the Authority as a result of the contractor dumping rock salt on the site.

Beach Boulevard Sewer Rehabilitation Project – Mr. Dasti reported his office reviewed engineer's certificate and final payment vouchers and find them acceptable.

**AUDITOR'S
REPORT**

Accountant's Status Report – Month Ended December 31, 2022 – Mr. Waldron reported sewer and water revenues had an unfavorable variance for the month, favorable on 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.

Draft Audit - Mr. Waldron stated a meeting was held with the Finance Committee to review the 2022 audit. Overall, it was a positive report with no comments or recommendations.

CORRESPONDENCE

David Naden, Chelsea St. – Requesting relief of utility bill, due to outside 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 \$310.40 (51,000 gallons). Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Cieslak, Mallard Dr. – Requesting relief of utility bill, due to outside 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 \$324.76 (29,000 gallons). Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Mr. & Mrs. Hughes, Laurel Blvd. – Requesting relief of utility bill, due to pipe leak in ceiling. 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 \$419.28 (82,000 gallons). Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Joseph Zimmerman, Laurel Blvd. - Requesting relief of utility bill, due to broken water line in house. 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 \$1,539.92 (223,000 gallons). Roll call vote: Masciale-Yes; Nosti-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

John Scornavacca, Laurel Blvd. – Requesting relief of utility bill, due to leaky water meter. Since the issue of the leak was due to a faulty water meter, a motion was made by Mr. Nosti and seconded by Mr. Masciale to grant an adjustment on the sewer charges in the amount of \$628.14 (64,000 gallons). Roll call vote: Nosti-Yes; Masciale-Yes; Baker-Yes; Lanuto-Yes; Knoeller-Yes. Motion passed.

Lacey Inn – Requesting relief of utility bill, due to multiple pipe leaks in basement. 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 \$5,277.20. Roll call vote: Nosti-Yes; Masciale-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 rock salt was found at the Home Depot site, even though they were notified numerous times of it being prohibited. She stated a wellhead protection ordinance is needed to enforce the rules of the operations agreement, which she and Allison Lemke warned the Authority many years ago. She added she was the one who tracked down the CCA sound wall in the wellhead protection area at the Home Depot site.

Mrs. Discenza stated the LMUA meetings are supposed to begin at 6:00 p.m. according to the open public meeting guidelines – not earlier. Mr. Knoeller stated according to his watch it was 6:00 p.m. when the meeting began.

Mr. Knoeller informed Mrs. Discenza she is not the only person concerned about what the environmental impact would be on the wells. The Authority has taken as much action as it possibly can legally. Mr. Dasti stated they breached the terms of the operations agreement, therefore, the Authority can seek reimbursement for monies expended in an amount of 110% of costs incurred. Mrs. Discenza asked if there is still a need for a wellhead protection ordinance or will the operations agreement stand. Mr. Dasti stated the operations agreement is going to stand, because it is a deed restriction against the property. Mrs. Discenza asked if code enforcement can be involved in adopting an ordinance. Mr. Knoeller stated the Authority does not have the power to put an ordinance in place. The Township would have to create and adopt an ordinance.

**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 \$776,170.37 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.

ADJOURNMENT There being no further business to discuss, the meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary