

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on February 11, 2013 at 5:00 P.M. at the Authority headquarters, 823 Radio Road, Little Egg Harbor Township, New Jersey.

MEMBERS PRESENT: Joseph Koptic, Vice Chairman; Richard Crea; Margaret DePergola, Secretary; Earl Miller; Treasurer; Marie Skelly

MEMBERS ABSENT: Joseph Mezzina, Richard Robins

OTHERS PRESENT: David V. Johnson, Executive Director; Michael DiFrancia, Superintendent; Colleen Kleinow, Administrative Assistant; Alan Dittenhofer and Felipe Contreras, Authority Engineers; Christopher Connors, Authority Attorney

OTHERS IN ATTENDANCE PER SIGN-IN SHEET: None

Mr. Koptic opened the meeting and led the Pledge of Allegiance.

Mrs. Kleinow read the following announcement:

“In accordance with the Open Public Meetings Law, this meeting has been duly advertised in the Atlantic City Press and Asbury Park Press, also posted and filed in the Office of the Clerk of the Township of Little Egg Harbor.” Resolutions are posted on the bulletin board.

REORGANIZATION

Mr. Koptic stated that a temporary Chairperson must be appointed for reorganization purposes. A motion was made by Mrs. DePergola, seconded by Mr. Miller to appoint Mr. Koptic as temporary Chairperson. All in favor.

Mr. Koptic asked whether there were any changes to be made to the reorganization schedule. There were none.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve the various appointments and reorganization matters as follows:

- 1 - Joseph Mezzina as Chairman
- 2 – Joseph Koptic as Vice Chairman
- 3 - Earl Miller as Treasurer
- 4 – Margaret DePergola as Secretary
- 5 - Richard Crea as Acting Treasurer
- 6 – Marie Skelly as Acting Secretary

- 7 - Mrs. DePergola and Mr. Johnson as Liaisons between LEH Township and the Authority

- 8a – Plans Committee: Mr. Miller, Mrs. DePergola, Mr. Johnson, Mr. DiFrancia (alternate Mr. Crea)
- 8b – Personnel Committee: Mr. Crea, Mr. Koptic, Mr. Johnson, Mr. DiFrancia (alternate Mr. Miller)
- 8c – Budget Committee: Mr. Koptic, Mr. Crea, Mr. Johnson, Mr. DiFrancia (alternate Mrs. DePergola)
- 8d – Rules & Regulations Committee: Mrs. DePergola, Mr. Miller, Mr. Johnson, Mr. DiFrancia (alternate Mr. Robins)
- 8e – Water&Sewer/Customer Committee: Mr. Koptic, Mr. Miller, Mr. Johnson, Mr. DiFrancia (alternate Mrs. Skelly)
- 8f – Safety Committee: Mr. Miller, Mr. Johnson, Mr. DiFrancia, Mrs. Kleinow (alternate Mr. Robins)
- 8g – Safety Representative: John Viteritto (Scott Ramesdorfer alternate)
- 8h – Building Committee: Mr. Koptic, Mr. Crea, Mr. Johnson, Mr. DiFrancia (alternate Mr. Robins)
- 8i – Buildings & Grounds Committee: Mrs. DePergola, Mr. Robins, Mr. Johnson, Mr. DiFrancia (alternate Mr. Miller)
- 8j – Overall Rehabilitation of Water and Sewer Systems Committee: Mr. Crea, Mrs. Skelly, Mr. Johnson, Mr. DiFrancia (Alternate 1 Mr. Miller; Alternate 2 Mrs. DePergola)
- 8k – Storm Committee: Mr. Koptic, Mr. Crea, Mr. Johnson, Mr. DiFrancia (alternates Mrs. DePergola, Mr. Miller)
- 9 – Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors as Attorney per the recommendation of the Personnel Committee
- 10 – Remington, Vernick & Vena as Consulting Engineer; T&M Associates as Special Projects Engineer per the recommendation of the Personnel Committee
- 11 – Suplee, Clooney & Company as Auditor per the recommendation of the Personnel Committee
- 12 – Acacia Financial Group as Financial Consultant per the recommendation of the Personnel Committee
- 13 – DeCotiis, FitzPatrick & Cole as Bond Counsel per the recommendation of the Personnel Committee

14 - Official newspapers of the Authority for the year February 2013 to February 2014 are the Atlantic City Press, Asbury Park Press, Times-Beacon, and others as deemed necessary from time to time

15 – Regular meetings of the Authority are to be held the second Tuesday of the month at 5:00 P.M. as follows:

March 12, 2013	September 10, 2013
April 9, 2013	October 8, 2013
May 14, 2013	November 12, 2013
June 11, 2013	December 10, 2013
July 9, 2013	January 14, 2014
August 13, 2013	February 11, 2014

16 – Official depository banks of the Authority are Sun National Bank, TD Bank, Wells Fargo, Ocean First Bank, Shore Community, Sovereign Bank, and others as deemed necessary from time to time

17 - Margaret DePergola sexual harassment officer for female employees, Richard Crea sexual harassment officer for male employees

Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

Mr. Koptic stated that concludes reorganization and thanked everyone for appointing him Vice Chairman again and congratulated everyone on their new positions or continued positions.

Mrs. DePergola thanked the Board as well.

PRIOR MINUTES

A motion was made by Mr. Miller, seconded by Mr. Crea to approve the minutes of the regular meeting held January 8, 2013. Roll call vote, Earl Miller – yes, Margaret DePergola – abstained, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

TREASURER’S REPORT

A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve the Treasurer’s Report as submitted. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

BILLS RESOLUTION

A motion was made by Mr. Miller, seconded by Mrs. DePergola to approve the operational account bills resolution. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

ENGINEER'S REPORT

Mr. Dittenhofer stated that the written report was forwarded to the Board for their review and approval. With respect to item #1d, the redevelopment of Well #8 and #9 located on Center Street, his office prepared bid documents, and the Authority received bids Friday, February 8, 2013. A letter of recommendation was forwarded to the Authority to award the contract to AC Schultes Inc. in the amount of \$169,067.50. There is a resolution on the agenda for action.

Mrs. DePergola stated that the report indicates bids were received February 15, 2013. Mr. Dittenhofer advised that is obviously a typo.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to approve the Engineer's Report with correction. All in favor.

EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Johnson stated that each year the Authority is required to appoint a Fund Commissioner and Alternate Fund Commissioner for the NJ Utility Authorities JIF. He is recommending himself and Mr. Koptic as in the past. There is a resolution on the agenda for action.

A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve Resolution #2013-3 regarding appointing David Johnson as Fund Commissioner and appointing Joseph Koptic as Alternate Fund Commissioner for the NJUA Joint Insurance Fund. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly - yes, Richard Crea – yes, Joseph Koptic – yes.

2 – Mr. Johnson advised that Sun National Bank, who we do most of our banking with, requires that we update our government banking resolution for account signatories. The Members must sign the resolution. There is a resolution on the agenda for action.

Mr. Koptic advised the Members to make sure they sign the resolution before they leave so it can be sent to the bank.

A motion was made by Mr. Miller, seconded by Mr. Crea to approve Resolution #2013-5 approving authorized account signers for Sun National Bank. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

3 – Mr. Johnson advised that this item has to do with the bank again. The Authority must also update its night depository agreement to add our new employee.

A motion was made by Mr. Crea, seconded by Mrs. DePergola to approve Resolution #2013-4 approving night depository agreement with Sun National Bank. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

4 – Mr. Johnson stated that the Authority is basically working on a day-to-day basis with FEMA, the State of New Jersey, and others gathering information related to the storm. There is a lot of paperwork required, and our Engineer and Auditor have also been working on it with us.

Mr. Johnson stated that the Authority should do pretty good at the end; however, almost all of our vehicles were totaled, and we need to go out to bid to purchase new vehicles. There will be no trades since they are totaled. We will have to bid for seven pick-up trucks, two utility trucks, one dump truck, and two backhoes.

A motion was made by Mrs. DePergola, seconded by Mr. Miller authorizing the Authority to go out to bid without trade for seven pick-up trucks, two utility trucks, one dump truck, and two backhoes. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

5 – Mr. Johnson advised the Board that normally the Authority receives a deficiency or credit notice from OCUA sometime in January. Unfortunately, due to the storm, they have no idea what was used minus the storm water. The deficiency/credit notice will be held until the matter is resolved. He also spoke with the Director, Rich Warren, about whether we would submit a claim or do it through OCUA so that each individual Authority doesn't have to do it. OCUA is going to try to do it.

Mr. Johnson stated that there are no performance guarantees due to expire. There is one maintenance guarantee due to expire in April. The Hudson Drive directional drill water main extension maintenance guarantee expires April 22, 2013. Everything seems to be working okay. We haven't had any problems. Our Engineer and Superintendent will check it before expiration.

Mr. Johnson advised the Board that we received some information about filing the financial disclosure forms online this year. From what he read, there will be no paper forms to fill out. Members will have to file online this year; however, there won't be information available until the end of March. We will keep you informed.

Mr. Johnson advised the Board that there is another matter that he would like to bring to the Board regarding bonding. We will have a portion to pick up of everything storm related. Although we are getting 75% back from FEMA, we will probably have \$250,000.00 out of pocket for the meters and \$150,000.00 out of pocket for the trucks. We will only get the cash value of the trucks when we replace them. We probably need to go out to Bond Counsel and have them start the process to borrow some money.

Mr. Koptic stated that he thought our vehicles would be covered.

Mr. Johnson stated that they will, but since it will be paid at cash value, and we'll be getting the 75%, we'll have to be ready to pick up the 25%. Right now with the projects we are doing, we do not have money to juggle. By next meeting he should have a better idea of what we need to do. That's all for his report.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve the Executive Director's Report as submitted. All in favor.

SUPERINTENDENT'S REPORT

Mr. DiFrancia advised the Board that the Authority submitted an application for a waiver from asbestos monitoring requirements. We received a waiver for nine years. We do not have to test for asbestos until 2019.

Mr. DiFrancia stated the balance of his report is the Report of Leaks. There were two leaks as reported. That is all he has for his report unless anyone has questions. There were no questions.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve the Superintendent's Report. All in favor.

PLANS COMMITTEE REPORT

1 – Mr. Johnson advised the Board that there is only one item for the report, which our Engineer addressed earlier in the meeting regarding Well #8 and #9. We received three bids for the project. The bidders were AC Schultes Inc., Uni-Tech Drilling Inc., and Layne Christensen Company. AC Schultes Inc. was the lowest, responsible bidder. We have used AC Schultes many times in the past. The Committee, Engineer, and Attorney recommend award to AC Schultes Inc. All their paperwork was in order, and we have a recommendation letter from our Engineer to award the bid for the Redevelopment of Well #8 and Well #9 to AC Schultes Inc. There is a resolution on the agenda for action.

A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve Resolution #2013-7 awarding contract to AC Schultes Inc. for the Redevelopment of Well #8 and Well #9. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea - yes, Joseph Koptic – yes.

There was nothing further for the Plans Committee Report.

A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve the Plans Committee Report as submitted. All in favor.

CUSTOMER COMMITTEE REPORT

Mr. Koptic stated that the report was for informational purposes; however, he wondered why our system didn't pick this up.

Mr. Johnson advised that it did, and a letter was sent out, as we didn't have a phone number for the customer. Additionally, since the gentleman is an emergency responder, he was unable to get to his home here since they were hit hard by the storm where he lives.

Mr. Crea inquired whether we send our personnel out after so many days pass.

Mr. Johnson stated it was 9 days after the storm, but another problem is that the office was closed for two days after the storm since there was no power. So it was actually 7 days.

Mr. Johnson advised that the system does work. He recently received a call about excess usage at his own home. He had a pipe break outside.

Mr. Miller stated that if this excess use showed up on the report every day, someone should go out there. The customer could be in Florida for a month and not have received the letter.

Mr. Johnson advised that due to the storm, we had a system that was completely down and had to keep it up and running manually so there would be no loss of service. We had to physically baby-sit our stations and run them with bypasses and generators because there was no electricity. We had other priorities. We didn't shut any water off probably until sometime in November. This was a bad situation. It was something very unusual to happen to us, and there were so many other more important things to do than shut offs at that time.

Mr. Miller stated then that if there wasn't a hurricane, we would have corrected it. Mr. Johnson stated that was correct. Shut offs were not the most important thing to the Authority. Keeping the system up was much more important.

Mr. Miller stated that he appreciates that there were more necessary priorities, but it strikes him that writing a letter may not be the best solution.

Mr. Johnson stated that is correct. It is not. Normally we would go out there if we continued to see high usage. Hopefully this type of storm damage doesn't ever happen again. This was unusual, and we had to put things in priority, but the system does work. He is a prime example.

A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve the Customer Committee Report as submitted. All in favor.

PERSONNEL COMMITTEE

Mr. Koptic stated that the personnel committee item with respect to the professional appointments has already been addressed during Reorganization. However, there is a resolution to approve the appointments.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve Resolution #2013-6 authorizing professional appointments for Little Egg Harbor MUA. Roll call vote, Earl Miller – yes, Margaret DePergola – yes, Marie Skelly – yes, Richard Crea – yes, Joseph Koptic – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve the Personnel Committee Report as submitted. All in favor.

ATTORNEY'S REPORT

Mr. Connors advised with respect to Winding Run Estates that court ordered mediation was scheduled for January 31, 2013; however, the mediator had taken ill, and it was rescheduled for tomorrow. Also, the case management conference was deferred back to February 22, 2013 to grant an opportunity to mediate first.

Mr. Connors stated that there is nothing new to report on South Shore Properties, and he hopes the matter with Harbors at Stage will be resolved. That is it for the report unless there are any questions or comments. There were no questions or comments.

A motion was made by Mr. Miller, seconded by Mr. Crea to approve the Attorney's Report as submitted. All in favor.

Mr. Koptic asked if there were any other matters to come before the Board. There was nothing further.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to accept and file all correspondence. All in favor.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to open this portion of the meeting to the public. All in favor.

There being no public in attendance, a motion was made by Mrs. DePergola, seconded by Mr. Crea to close the public portion of the meeting. All in favor.

There being nothing further and no matters for executive session, a motion was made by Mr. Miller, seconded by Mrs. DePergola to adjourn. All in favor.

SECRETARY

Approved on (date)