

LEHMUA  
Regular Meeting

March 11, 2014

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on March 11, 2014 at 5:00 P.M. at the Authority headquarters, 823 Radio Road, Little Egg Harbor Township, New Jersey.

MEMBERS PRESENT: Joseph Koptic, Chairman; Margaret DePergola, Vice Chairwoman; Earl Miller, Treasurer; Eugene Kobryn; Richard Robins; Marie Skelly

MEMBERS ABSENT: Richard Crea

OTHERS PRESENT: David Johnson, Executive Director; Michael DiFrancia, Superintendent; Earl Sutton, Jr., Assistant Director; Colleen Kleinow, Administrative Assistant; Nicole Mezzina, Executive Secretary; Alan Dittenhofer, Authority Engineer; 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, posted on the Authority bulletin board, and also posted and filed in the Office of the Little Egg Harbor Township Clerk. Resolutions are posted on the bulletin board.

#### PRIOR MINUTES

A motion was made by Mr. Miller, seconded by Mrs. DePergola approving the minutes of the special and regular meeting held February 11, 2014. Roll call vote, Earl Miller – yes, Marie Skelly – yes, Eugene Kobryn – yes, Margaret DePergola – yes, Joseph Koptic – yes.

#### TREASURER'S REPORT

A motion was made by Mrs. DePergola, seconded by Mr. Robins approving the Treasurer's Report as submitted. Roll call vote, Earl Miller – yes, Richard Robins - yes, Eugene Kobryn – yes, Margaret DePergola – yes, Joseph Koptic – yes.

#### BILLS RESOLUTION

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

## ENGINEER'S REPORT

Mr. Dittenhofer stated that the written report for March 2014 was forwarded to the Board for their review and approval, and he wanted to touch upon four items under the General heading. The first item he would like to comment on is #1a – Redevelopment of Well #8 and #9, which is covered under the Plans Committee Report and agenda. Final payment and release of performance bond is being recommended for this project.

Mr. Dittenhofer advised that the next item is #1b – Electrical Repairs at Various Locations, which is also on the Plans Committee Report and agenda. The project is substantially complete, and his office is recommending approval of a time extension change order to extend the project deadline to March 31, 2014.

Mr. Dittenhofer stated that the other two items are #1e and #1f – the two NJEIT projects, Water Treatment Plant Wells 7 and 13 on Radio Road and Water Treatment Plant Well 12 on High Ridge Road. Design and loan application were completed. Both applications were prepared and forwarded to the NJEIT for their finance program.

Mr. Dittenhofer stated that was all unless anyone had questions. There were no questions or comments.

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

## EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Johnson advised this item is for informational purposes. Every year the Authority updates its water and sewer master plan. The updated maps will be ready next meeting.

2 – Mr. Johnson stated that the Authority received a letter last year from T-Mobile advising that they wanted to cancel their contract for lease of space at our Mathistown Road tower site. After speaking with them a number of times regarding their lease payment, they realized this was not the site they wanted to cancel. They rescinded the termination letter, which is attached to his report.

3 – Mr. Johnson advised that the Authority received a letter from Ocean County Engineering requesting payment in the amount of \$233,745.00 for the utility re-location for the Radio Road Bridge Project. The County is paying for the work, including our portion, and now the Authority must reimburse the County for the Authority portion. He believes it started out at \$307,000.00, but as you can see, it was \$70,000.00 less. We realized a great savings because of the soft costs. We picked up the engineering costs, but the County paid for the bonding and permitting, which saved the Authority some money. Our Engineer is reviewing the information submitted by the County.

Mr. Miller questioned who is responsible for the continued maintenance of the area. When the sod, straw, seed, and whatever were put down, some people drove over it and disturbed it.

Mr. Johnson advised that it is a County Right-of-Way, and the County would be responsible. The County should go back to the contractor, but he does not know if they followed that plan.

Mr. Johnson stated that there was white mesh over the dirt and trees down the easement where pipe is. That has to be addressed.

Mr. Miller stated that heavy equipment caused the damage to the surface because it was run over. He is speaking cosmetically.

Mr. Johnson stated that the last thing on his report are performance and maintenance guarantees due to expire. There are no performance guarantees expiring. However, there are two maintenance guarantees due to expire. Sea Oaks Phase 1 Tank and Production Well expires May 14, 2014. Everything appears to be okay, but our Engineer will inspect prior to the release date. The other guarantee is the chlorine contact tank at our Radio Road Treatment Plant. Everything is okay with that, and it should be allowed to expire in April. There was nothing further.

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

Mr. Johnson advised the Board that our Assistant Director started yesterday.

The Board congratulated Mr. Sutton.

Mr. Johnson stated that they did a cursory review of our system and reviewed a lot of information yesterday. Everything is working out well.

Mr. Koptic stated that he hopes Mr. Sutton is enjoying it.

Mr. Sutton stated that he is and thanked the Chairman.

#### SUPERINTENDENT'S REPORT

1 – Mr. DiFrancia advised the Board that our annual hydrant flushing will begin this month. Hydrant flushing creates velocity and removes sedimentation from the system, which keeps our water clean. It also provides an operational check of the hydrants while we are doing it.

2 – Mr. DiFrancia also advised that each time this year, authorization is requested to solicit bids for our annual contracts. Authorization is requested to go out to bid for our chemical contracts, emergency repair of water and sanitary sewer mains and services, and the water and sewer plant supplies.

A motion was made by Mr. Robins, seconded by Mr. Kobryn authorizing solicitation of bids for chemicals, emergency repair of water and sanitary sewer mains and services, and the water and sewer plant supplies. Roll call vote, Earl Miller –yes, Richard Robins – yes, Eugene Kobryn – yes, Margaret DePergola – yes, Joseph Koptic – yes.

3 – Mr. DiFrancia advised the Board that the Authority received a very nice thank you letter from a gentleman on West Sail Drive. He expressed his thanks to us for excelling at providing professional, courteous, and timely effort. The gentleman also stated that the office staff was very helpful, and he specifically mentioned that Vinny and Scott from our service department were outstanding. It is nice to receive letters like this. It shows how hard everyone is working to keep our system running.

Mr. Johnson stated that this also shows the recognition we receive, and we don't just get one letter every five years. We probably receive several letters a year. We should be proud of our employees for doing the job required.

Mr. Koptic inquired whether a copy of the letter was placed in the employees' personnel file and was advised by Mr. Johnson that it was.

Mr. DiFrancia stated that there were six leaks this past month as noted on the report.

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

#### PLANS COMMITTEE REPORT

1 – Mr. Johnson advised the Board that the Redevelopment of Wells #8 and #9 is now complete. The contractor requested release from their performance guarantee. After discussion by the Plans Committee and our Engineer's recommendation, the Committee recommends releasing their performance guarantee, subject to our Engineer's letter. There is a resolution on the agenda for action.

A motion was made by Mr. Robins, seconded by Mrs. DePergola to approve Resolution #2014-19 approving the release of performance bond conditioned upon posting maintenance bond for the Redevelopment of Wells #8 and #9 Project. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn – yes, Margaret DePergola – yes, Joseph Koptic – yes,

2 – Mr. Johnson advised that the Authority received a change order for a time extension on the Electrical Repairs at Various Locations contract. The contractor is over the time limit for completing the contract and asked for an extension. This did not hinder the Authority or affect our operations. There had been additional work needed and there were delays in waiting for materials.

Mr. Johnson advised that the Committee recommends approving change order #1 representing a 227 day time extension, subject to our Engineer's letter. There is a resolution on the agenda to be acted upon.

Mr. Robins inquired as to the completion date and was advised the new project deadline is March 31, 2014.

Mr. Johnson advised that additional items were necessary such as having items made for generators. Pieces had to be made specifically for generators, and there were problems getting some other items, but as mentioned earlier, it did not hinder the operation of the Authority. The contractor is doing a great job for the Authority.

Mr. Miller stated that the resolution heading mentions 227 days but not the date it should be done.

Mr. Dittenhofer advised the Board the completion date is March 31, 2014.

Mr. Miller inquired how that date was calculated and was advised by Mr. Dittenhofer that is from the date of the notice to proceed.

Mr. Connors advised that the March 31, 2014 deadline is stated in the resolution.

A motion was made by Mr. Miller, seconded by Mr. Robins to approve Resolution #2014-20 approving change order #1 for the Electrical Repairs at Various Locations with ABS Electric representing a 227 day time extension. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn - yes, Margaret DePergola – yes, Joseph Koptic – yes.

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

#### CUSTOMER COMMITTEE REPORT

Mr. Koptic stated that everyone should have had a chance to read the Customer Committee Report. The result is as noted.

Mr. Koptic stated that Mr. Miller and the Customer Committee are doing a great job.

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

ATTORNEY'S REPORT

Mr. Connors advised the Board that there are no changes on the various matters from the last Attorney's Report. There are personnel matters that his office is working on, which cannot be disclosed at this point.

Mr. Connors stated with respect to AT&T that representatives contacted his office about their request for additional space on the Radio Road tower site. The current lease is 448 square feet, which consists of 400 square feet under the initial rental agreement, and an additional 48 square feet under an amendment to the agreement. A few months ago they had asked for an additional 186 square feet. We sent a proposed amendment to their agreement, and they questioned the methodology used in the calculation. They indicated that the rate we proposed was not what they budgeted and mentioned paying something much less than our calculation. Our calculation came to approximately \$13,000.00 a year, and their calculation was considerably less.

Mr. Connors advised that AT&T didn't indicate their course of action if we should reject their request for additional space, but he informed them that he would bring this to the Board and get back to them. He and the Director haven't had a chance to discuss it as yet.

Mr. Johnson stated that he and Mr. Connors will take care of it.

Mr. Connors also advised the Board that he told AT&T that this is not the Authority trying to hold them up, but we are bound by certain requirements and have to protect the Authority.

Mr. Connors stated that was all he had for his report.

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

Mr. Koptic asked whether there were any other matters to come before the Board. There were none.

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

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

Mr. Connors requested executive session be deferred until next meeting as he doesn't have anything to share with the Commissioners at this point.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to adjourn. All in favor.

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SECRETARY

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Approved on (date)