

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on February 10, 2015 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; Richard Crea, Secretary; Eugene Kobryn; Marie Skelly

MEMBERS ABSENT: Richard Robins

OTHERS PRESENT: Earl F. Sutton Jr., Executive Director; Michael DiFrancia, Superintendent; Colleen Kleinow, Administrative Assistant; Nicole Mezzina, Executive Secretary; Felipe Contreras, Authority Engineer; 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 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 Mrs. DePergola, seconded by Mr. Miller to approve the minutes of the regular meeting held January 13, 2015. Roll call vote, Earl Miller – yes, Marie Skelly – yes, Eugene Kobryn – yes, Margaret DePergola – yes, Joseph Koptic – yes.

#### REORGANIZATION

Mrs. Kleinow asked for nominations for Chairman. Mrs. DePergola nominated Mr. Koptic for Chairman. Mr. Crea seconded. There were no other nominations. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Koptic nominated Mrs. DePergola for Vice Chair. Mr. Crea seconded. There were no other nominations. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Koptic asked for a motion to approve Earl Miller as Treasurer, Richard Crea as Secretary, Richard Robins as Acting Treasurer, and Marie Skelly as Acting Secretary. A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve the Treasurer, Secretary, Acting Treasurer, and Acting Secretary as written. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Koptic stated that Items #7 through #8k, all the committees, are what was discussed, and if there are no changes, will remain as written. There were no changes recommended.

Items #7 through #8k will be as follows:

7 – Liaison between LEH Twp. & Authority: Mrs. DePergola & Mr. Sutton

8a – Plans Committee: Mr. Miller, Mrs. DePergola, Mr. Sutton, Mr. DiFrancia, with Mr. Crea alternate

8b – Personnel Committee: Mr. Crea, Mr. Koptic, Mr. Sutton, Mr. DiFrancia, with Mr. Kobryn alternate

8c – Budget Committee: Mr. Miller, Mr. Kobryn, Mr. Sutton, Mr. DiFrancia, with Mrs. DePergola alternate

8d – Rules & Regs Committee: Mrs. DePergola, Mr. Kobryn, Mr. Sutton, Mr. DiFrancia, with Mr. Robins alternate

8e – Water & Sewer Customer Committee: Mrs. Skelly, Mr. Miller, Mr. Sutton, Mr. DiFrancia, with Mr. Kobryn alternate

8f – Safety Committee: Mr. Miller, Mr. Sutton, Mr. DiFrancia, Mrs. Kleinow, with Mr. Robins alternate

8g – Safety Representative: John Viteritto, with Scott Ramesdorfer alternate

8h – Building Committee: Mr. Koptic, Mr. Crea, Mr. Sutton, Mr. DiFrancia, with Mr. Robins alternate

8i – Buildings & Grounds Committee: Mrs. DePergola, Mr. Robins, Mr. Sutton, Mr. DiFrancia, with Mr. Miller alternate

8j – Overall Rehabilitation of Water and Sewer Systems Committee: Mr. Crea, Mrs. Skelly, Mr. Sutton, Mr. DiFrancia, with Mr. Kobryn Alternate 1 and Mrs. DePergola Alternate 2

8k – Storm Committee: Mr. Kobryn, Mr. Crea, Mr. Sutton, Mr. DiFrancia, with Mrs. DePergola and Mr. Miller as alternates

Mr. Koptic stated that the professionals were next on the Reorganization agenda.

A motion was made by Mrs. DePergola, seconded by Mr. Crea appointing Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors as Authority Attorney. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Koptic inquired whether it would be proper to proceed with the rest of the professionals as one motion or individually.

Mr. Connors advised that they can be done as one motion provided that there is no one who intends to vote no or abstain on them, and in that case, then they should be done individually. If no one has a reason to vote no or abstain, it can be done in one motion. The items should be read that are being voted on.

None of the members indicated they would be abstaining or voting no, and Mr. Koptic asked for a motion to approve Items #10 through #17 after being read by Mrs. Kleinow as follows:

10 – Authority Consulting Engineer: Remington, Vernick & Vena; Special Projects Engineer: T & M Associates

11 – Authority Auditor: Suplee, Clooney & Company

12 – Financial Consultants: Acacia Financial Group

13 – Bond Counsel: DeCotiis, FitzPatrick & Cole

14 – Official newspapers February 2015 to February 2016: Atlantic City Press, Asbury Park Press, Times-Beacon, and others deemed necessary from time to time

15 – Regular meetings to be held for the year 3/10/15 to 2/9/16 at 5:00 P.M.:

March 10, 2015	September 8, 2015
April 14, 2015	October 13, 2015
May 12, 2015	November 10, 2015
June 9, 2015	December 8, 2015
July 14, 2015	January 12, 2016
August 11, 2015	February 9, 2016

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

17 – Sexual harassment officers: Margaret DePergola for female employees; Richard Crea for male employees

A motion was made by Mr. Crea, seconded by Mrs. DePergola to approve Reorganization Items #10 through #17 as read. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

#### TREASURER'S REPORT

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

#### BILLS RESOLUTION

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

## ENGINEER'S REPORT

Mr. Contreras stated that the report was submitted to the Board for their review and approval, and he wanted to touch upon several items under the General Heading. We are working on the Capital Improvement Plan for the next ten years. We are trying to complete it to present to the Board by next meeting.

Mr. Contreras advised the Board that the Executive Director will talk about the antenna leases later on in the meeting.

Mr. Contreras stated that the base plans for the NJEIT for Twin Lakes Blvd. have been prepared and were also sent to the Township for their use.

Mr. Contreras also stated that the last item under General is the decommissioning of Well #7. We are requesting to go out to bid for that.

Mr. Contreras further stated that there are no development applications this month. The Harbor View Estates project is on-going. We had conversation with the engineer for Wal-Mart yesterday. They indicated that bids will be received within two weeks for their contractor.

Mr. Kobryn inquired whether the Capital Improvement Plan will be both water and sewer and was advised by Mr. Contreras that is correct. It will be both water and sewer.

A motion was made by Mrs. DePergola, seconded by Mr. Miller authorizing solicitation of bids to decommission Well #7. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

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

## EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Sutton advised that the Authority will have two Water Treatment Plant Projects this year. In order to facilitate this, the Authority has to make an amendment to the water capital budget.

Mr. Sutton stated that this is a big undertaking and thanked Ms. Mezzina for providing the information for the NJEIT application. The information requested is mind boggling and will probably increase. The Local Finance Board and the parties overseeing these projects are becoming more stringent. Ms. Mezzina can attest to that.

Ms. Mezzina stated that it was a large amount of information that had to be provided.

Mr. Sutton stated that he is not against disclosure, and our information does get posted, but a lot of information must be provided and a lot more will probably have to be provided.

Mr. Sutton also thanked Mrs. Kleinow for her help as well.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve Resolution #2015-4 regarding Authority capital budget amending resolution. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

2 – Mr. Sutton stated that each year the Authority must appoint a Fund Commissioner and Alternate Fund Commissioner to the Joint Insurance Fund. The Commissioner has always been the Executive Director and Mr. Koptic has been the Alternate Fund Commissioner for quite some time. He recommends it stay the same this year. There is a resolution on the agenda for action.

A motion was made by Mr. Kobryn, seconded by Mrs. DePergola to approve Resolution #2015-5 appointing Earl Sutton Jr. JIF Fund Commissioner and Joseph Koptic Alternate Fund Commissioner. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

3 – Mr. Sutton advised, as indicated earlier, he is working on our long-term and short-term capital projects. As the Commissioners get a view of this, serious action will need to be taken to do some of the projects. When we discuss it, the Commissioners will need to keep an open mind. It will be a big challenge, and it is one of the reasons he is happy to be working here.

4 – Mr. Sutton stated that this item, the sale of the cell tower leases, has been out there awhile and has been looked at before. It is one of the projects Mr. Johnson gave him to do. He was hesitant at first, but there are some projects that we need to do and could use funding for. He is recommending the Authority go out to bid for the sale of the leases. There are some projects that need to be addressed soon, and that is why he is changing his position. It is not a lengthy process. Mr. Connors was already involved in it before, and we have sample agreements from other Authorities.

Mr. Koptic polled the Commissioners, and they were all in agreement that the Authority should sell the cellular lease agreements.

Mr. Crea stated that we need to look at the numbers and go from there.

A motion was made by Mr. Miller, seconded by Mrs. DePergola authorizing the Executive Director to go out to bid for the sale of the Authority cellular leases. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Kobryn asked what the revenue stream is currently for the leases.

Mr. Sutton stated that he doesn't want to shoot straight from the hip but will get the numbers for him. It is a substantial number.

Mr. Kobryn also asked how long the leases run and was advised by Mr. Sutton that they are generally twenty years and perpetual.

Mr. Kobryn inquired what the possible sale amount was. Mr. Connors stated that he doesn't recall the number.

Mr. Sutton advised that there are not that many companies that bid on them.

Mr. Sutton stated that the monies generated from the lease sale will be used for immediate projects; not for long term projects.

5 – Mr. Sutton stated that this item is good news. The Authority received its deficiency notification from OCUA. We discharged less sewage than anticipated, which resulted in a credit of \$37,267.00. The credit will be deducted from our first installment. If you look at the bills resolution, our sewer payment to OCUA in the amount of \$404,000.00 is on there this month. We collect sewer charges from our customers, and we give it to OCUA. We are not making money on the sewer bill.

6 – Mr. Sutton advised that this item relates to a refund due to the replacement of a storm damaged water meter. As you may recall, the Customer Committee had taken this issue up before where a customer lost their storm damaged meter, but then found it. We provide replacement of storm damaged meters at no cost to customers if they return the damaged meter. However, some customers paid for replacement meters because they couldn't find the damaged meter to return. We felt refunding the meter fee paid was the right thing to do if the old meter was later found and returned. This item is another customer with that situation, and there is a resolution on the agenda to refund the customer the \$150.00 meter fee paid.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to approve Resolution #2015-8 authorizing a customer refund of meter fee paid. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Sutton stated that the last item noted is informational regarding American Water seeking an increase of approximately \$62.00 per year. They are regulated by the BPU, and they generally get the rates they ask for. We increased a total of \$24.00 for the whole year. American Water is asking for a \$62.00 annual increase.

Mr. Sutton advised that there was another item that came up since the report was written. Mr. Sutton showed the Members a postcard that is being left at residences by a water softener company. It is a yellow postcard that says "Water Update" on it with a number to call. It is a scam, and we are going to alert our customers about it in our newsletter. People get panicked when they see it. The company is trying to sell a water softener system. He checked with the Better Business Bureau, and they indicated it was a scam and should not be replied to.

Mr. Sutton advised that there is a litigation matter, but he doesn't know if executive session is needed on the matter.

Mr. Connors stated that everyone has been informed, and there is no further information on it. The matter was referred to the insurance carrier, and there are still determinations to be made. There is no need for private session unless there are questions. There were no questions.

Mr. Koptic stated that there are two resolutions on the agenda that haven't been acted upon.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to approve Resolution #2015-6 declaring an emergency with regard to the needed replacement of a sanitary sewer lateral at 252 Darryl Drive. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Kobryn to approve Resolution #2015-7 authorizing professional appointments for Little Egg Harbor MUA. Roll call vote, Earl Miller – yes, Eugene Kobryn – yes, Richard Crea – yes, Margaret DePergola – yes, Joseph Koptic – yes.

#### SUPERINTENDENT’S REPORT

1 - Mr. DiFrancia advised the Board, as mentioned last meeting, we completed an emergency repair of a sewer lateral on Darryl Drive, and the cost of the repair is being submitted to the developer’s bonding company for reimbursement. Resolution #2015-6 is the Resolution that the Members just adopted for the emergency repair, which includes authorizing the Authority to submit a claim to the bonding company.

2 – Mr. DiFrancia stated that February 5, 2015 was the start-up for the generator delivered to us from Harbor View Estates. We tested it and trained our employees.

3 – Mr. DiFrancia stated that this item was already discussed and authorization given to go out to bid to abandon and seal Well #7.

Mr. DiFrancia advised that there was one leak in the past month as noted, and that is all for his report unless there are questions. There were no questions.

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

#### PERSONNEL COMMITTEE REPORT

Mr. Sutton advised that this was all covered, and the resolution was already adopted approving the professional appointments.

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

#### ATTORNEY’S REPORT

Mr. Connors stated that the report is succinct. There is only one matter relative to Harbors at Stage. We are in process of filing a motion to return to court to enforce the financial aspect of the settlement agreement that remains outstanding. Everyone is aware of the other litigation.

A motion was made by Mr. Miller, seconded by Mrs. DePergola 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 were none.

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

A motion was made by Mrs. DePergola, seconded by Mr. Crea 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. Kobryn 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.

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SECRETARY

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Approved on (date)