

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on September 13, 2016 at 5:00 P.M. at the Authority headquarters, 823 Radio Road, Little Egg Harbor Township, New Jersey.

MEMBERS PRESENT: Joseph Koptic, Chairman; Richard Crea, Secretary; Earl Miller, Treasurer; Eugene Kobryn; Richard Robins; Marie Skelly

MEMBERS ABSENT: Margaret DePergola

OTHERS PRESENT: Earl F. Sutton Jr., Executive Director; Michael DiFrancia, Superintendent; Colleen Kleinow, Administrative Assistant; Nicole Mezzina, Executive Secretary; Alan Dittenhofer, Authority Engineer; Joe Santorelli, Authority Engineer; Brian Rumpf, Authority Attorney; Peter Chacanas, 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 Mr. Robins, seconded by Mr. Crea to approve the minutes of the regular meeting held August 9, 2016. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn – yes, Richard Crea – yes, Joseph Koptic – yes.

TREASURER'S REPORT

A motion was made by Mr. Miller, seconded by Mr. Robins to approve the Treasurer's Report. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn – yes, Richard Crea – yes, Joseph Koptic - yes.

BILLS RESOLUTION

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

EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Sutton advised the Board that he provided a lot of information in the packet for the Members to review. He felt it was necessary to cover the issues thoroughly. The first item is a follow-up regarding Amato. All Members received his memo, which was self-explanatory as to what transpired. Unfortunately, it was just a situation of human error. He fully spelled it out in his memo and asked whether there were any questions. There were no questions.

2 – Mr. Sutton stated that he wanted to give a big thank you to our Superintendent DiFrancia and staff who worked very diligently during the fish kill situation on Osborn Island. They did a tremendous job. They went above and beyond the call of duty. We received an excellent letter of commendation from the Township Administrator, Garrett Loesch, as well as Ed Andrew from the Osborn Island Association complimenting the Authority and Personnel. It was an excellent team effort. We worked cooperatively with the Little Egg Harbor Public Works Personnel. It was a mess. We brought our jet vac truck to the site and sucked up the fish. The fish sat in the truck overnight, and the next day we sucked up more fish. Mr. DiFrancia was in the thick of it all. The people were very happy we were there. We took the fish up to the public works yard and dumped them in the dumpster. They were then taken out of town to the landfill. A hole was dug, and the fish were dumped into the hole.

Mr. Sutton also stated that there was nice press, but this is what we would normally do anyway. It is still nice to be recognized for going above and beyond the call of duty. He spoke to one of our personnel, Kevin, who had to clean out the jet vac hose, which was about two weeks after the situation occurred, and it wasn't pleasant.

Mr. Kobryn advised that the Township had the opportunity to use equipment purchased through the State surplus, which they used to herd the fish in. It was the first time they used it, and it was a big help.

3 – Mr. Sutton stated that he provided information to the Commissioners regarding the possibility of expanding service to the Leitz Boulevard area. His memo is attached to the report. Mr. Lynch inquired about servicing the area. The original e-mail from Mr. Lynch is attached to the report as well as the follow-up e-mail he recently sent. Mr. Lynch believes that it should be the Authority's responsibility to provide service in that area.

Mr. Sutton advised the Board that the Authority, along with RV&V, conducted an elaborate study in 2004 about the possibility of expanding service to that area. It was a lot of work and very time consuming. We sent certified letters, return receipt requested, to the residents in that area. The cost at that time is as noted. The Authority was willing to apply the connection fees to the improvement cost. The balance would be paid by the residents by property assessment. The majority of residents didn't want to pursue it.

Mr. Sutton stated that he wanted the Board to know what took place at that time and would like to know how the Board wishes to proceed. It would be very costly to do another study and another mailing.

Mr. Koptic stated that this is not a two minute or two-day job. It was quite a bit of work 10 years ago, and it will be more difficult now as he understands that there are several houses in that area under foreclosure. There will not be a 100% response.

Mr. Rumpf stated that perhaps, since we have several projects underway including the massive Twin Lakes Boulevard project, it may be better to explain prioritization of projects.

Mr. Rumpf suggested that we advise Mr. Lynch that after recent examination of the files with respect to the Leitz Boulevard area, it is not appropriate at this time given the other capital improvement projects that have priority, which have been scheduled. We owe that to Mr. Lynch.

Mr. Koptic stated that he doesn't feel the Authority should spend money for one person that made an inquiry after a study was already done in which we did not receive a majority interest. He doesn't think we should spend money again on this matter. It will require our Engineer, Attorney, and staff to prepare the information again.

Mr. Rumpf stated that is correct. There is a lot of effort involved with this.

Mr. Koptic stated that this is not of major importance to the Authority at this time, and from what he understands, this gentleman also wants us to provide him with the names, addresses, and phone numbers of the residents.

Mr. Rumpf stated that information is available under OPRA, but there is also confidentiality of some records maintained. A more definitive response should be given at this juncture if the Board is so inclined. Now is not the time to take on this study. There are other more pressing things that need our attention.

Mr. Crea inquired as to whether we should take a poll. Do we have to have 100% interest?

Mr. Sutton advised that there was not a definitive number. If there was a majority decision wanting the service, the Commissioners would decide how to proceed. There was no majority at that time to continue pursuing it.

Mr. Sutton stated that at the end of the day, we would have to prepare a cost analysis if there were enough interest.

Mr. Sutton also stated that if there is expansion of the system, and the service runs past the house, it is mandatory for existing homes to connect to the system within a two-year window. The homeowner would have been assessed around \$60.00 a month over a ten-year period at that time. It probably would have made sense to do it, but the residents chose not to do it.

Mr. Sutton suggested that we share the information we've obtained through researching our files with this individual so that he has the history of what took place.

Mr. Sutton stated that we could indicate that with the amount of capital improvement projects we are undertaking now, the cost to perform this work would impact our rates. We can also mention that we haven't had a large number of requests from that area nor have we been contacted by the Board of Health indicating there are septic failures or other issues there.

Mr. Sutton stated that he doesn't want people to feel like we are forcing things down their throat. Those individuals have to hook up when there is expansion.

Mr. Crea stated that the septic systems in that area are probably over 20 years old and will probably start failing.

Mr. DiFrancia advised that we haven't had any calls about servicing that area other than from this one gentleman. There hasn't been a great number of residents asking for service there.

Mr. Sutton stated that maybe this gentleman needs a grass roots effort. Sometimes residents contact their neighbors to see whether they want to pursue expansion.

Mr. Sutton advised that we have not heard from anyone else in that neighborhood. If we had, we would have explored it, but we haven't gotten any other inquiries.

Mr. Koptic stated that we would have to ask the Township if they would assess the residents. The Authority cannot assess people.

Mr. Kobryn stated that he agrees with Mr. Crea. We surveyed the residents the last time, and the majority voted no, but we should do a survey again. If more people request service, we can look at it again, but if not, it is a dead issue.

Mr. Koptic stated that out of 127 homes, we have one request. If the Township is willing to spend money to do the survey, that is fine, but we shouldn't spend any more money for this after only one request. We already did it ten years ago.

Mr. Kobryn stated that it is only \$.47 to mail a letter.

Mr. Koptic stated that it costs more than that because the letter has to go to 127 people.

Mr. Sutton stated that is correct, and we have to mail them out certified, return receipt requested, which is over \$6.00 a letter. The overall response doesn't warrant it, and some residents didn't even respond to the Authority.

Mr. Crea asked if this project would benefit us and was advised by Mr. Sutton that we would pick up 100 customers possibly.

Mr. Sutton advised that the Board decided at that time to waive connection fees and apply that to the cost of the improvements. That meant the Authority would not receive connection fees. The Authority did want the expansion but left it up to the residents. It would have had some benefit to us.

Ms. Mezzina stated at that time that we had about a dozen people that wanted the service, but once we did the poll and the people saw the cost, that is when they started to not want the project.

Mr. Sutton advised that to do a study would be \$3,000.00 to \$4,000.00.

Mr. Kobryn stated that he is not suggesting a study; just a poll.

Mr. Sutton stated to do it right, it would be up to \$4,000.00 between the study, certified mailing, and the follow-up to show the responses.

Mrs. Skelly inquired if the service lines were run and some residents didn't want it, do we stipulate when the resident has to hook-up to the system.

Mr. Sutton advised that connection to the system is mandatory according to our rules.

Mr. Kobryn stated that if we did a mailing then we made the effort. If people do not want it, then let Paul Lynch defend it.

Mr. Sutton stated that he hasn't shared anything with Mr. Lynch yet. He wanted to let the Members decide what to do.

Mr. Koptic stated that we should respond to him and provide the information to him that we have, and if he wants to get those residents to start promoting it, it is his prerogative.

Mr. Rumpf recommended that we also mention to Mr. Lynch that the budgetary amount hasn't been factored into this year's budget.

Mr. Sutton stated that he will respond to Mr. Lynch accordingly.

4 – Mr. Sutton advised that he has an update on the Sea Oaks issue. He met with a few of the Sea Oaks Trustees after our last Authority meeting. The Trustees asked to meet with him and Mr. DiFrancia to discuss some of the reports the Authority could provide them. We provide them with monthly reports, and we discussed that we could run a report up to every six hours to qualify their data and see when a wasteful amount of water is being used. They were very pleased with that information. They asked when a decision would be made on their request. He told them it is still under legal review at this time.

Mr. Sutton also advised that when we looked at the proposal of changing the EDUs to increase the number of EDUs, Sea Oaks would be required to pay additional connection fees for each EDU. It is \$2,500.00 for each EDU. If there are 7 EDUs, connection fees would be 7 x \$2,500.00.

5 – Mr. Sutton stated that he thought we would have a need for executive session today, but the matter will be tabled and postponed until our October meeting. We will need executive session at that time. Our Attorney is aware of it. The union has asked to attend the meeting. No action will be taken with respect to the matter this evening.

6 – Mr. Sutton advised that he sent a letter to the local school districts regarding testing for possible lead in their system. Schools are now required to test for lead. Any potential lead is not from our water system. It is strictly from the fixtures and plumbing in the school itself. We want to be proactive because it is not our responsibility. The schools are responsible for the testing. There will be funding available for the testing through the State. The schools are required to use certified labs. He provided the school with the information. If lead is found, they have to isolate that and can't use that fixture. There are many sinks, faucets, and water fountains in the school that have to be tested.

Mr. Sutton stated that the water we provide to the schools and our customers meets and exceeds State and Federal Standards.

Mr. Sutton stated that the last item is the maintenance guarantee for Sea Crest Village is due to expire October 14, 2016. That is all he has to report.

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

PERSONNEL COMMITTEE REPORT

Mr. Koptic stated that there is a personnel committee report for the Member's knowledge.

Mr. Sutton advised that this didn't make the package as we were still in the process of going over it late Friday. The recommendation is as noted. There is a resolution on the agenda.

Mr. Koptic asked whether there were any questions. There were none.

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

SUPERINTENDENT'S REPORT

1 - Mr. DiFrancia advised the Board that on Tuesday, August 9, 2016, the Authority received bids for the Piping and Pumping Equipment for Well #14. There is a resolution awarding the bid to Derstine Company in the amount of \$178,000.00.

A motion was made by Mr. Miller, seconded by Mr. Crea approving Resolution #2016-64 awarding a contract for the piping and pumping equipment for Well #14. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn – yes, Richard Crea – yes, Joseph Koptic – yes.

2 – Mr. DiFrancia advised that the Generator at Well #6 Project has begun. This is a Hazard Mitigation Project. This well is located in the Holly Lake area on Great Bay Blvd. The conduit for the generator was installed, and the concrete pad is being poured this week. They have done a nice job already. The generator will probably be shipped and mounted within the next month.

3 – Mr. DiFrancia stated that the pitless adapter for Well #14, which was a change order approved for the original Well #14 project, is on order and will be here shortly. Once that is installed, Derstine can complete the second part of the project.

4 – Mr. DiFrancia advised the Board that we are installing energy saving equipment and surge protection equipment at Well #10 on Frog Pond Road. We were struck by lightning, which cost the Authority and the insurance company over \$100,000.00 in damages. This equipment smoothes out the harmonics and makes the energy clean from Atlantic City Electric. It creates the harmonics to be equal. This will save the Authority money by using less electricity. The surge protection will eliminate lightning hitting the well.

5 – Mr. DiFrancia stated that he appreciates the kind words and thanks received with respect to the work performed after the fish kill, but it is part of the job. It is nice to be noticed for the things we do. It feels good. It is also nice for the community to see the Township and Authority working together.

6 – Mr. DiFrancia advised that the work order management report is attached. The three most important items are the 21 water leaks repaired by our personnel, water disconnects, and the re-connections. There were 22 activations, which means 22 homes came back on line and were activated. There were only 4 disconnects this month. We are still coming back from the storm. That is all for his report.

Mr. Koptic asked whether all the construction is in the Mystic Islands area and approximately what percentage is still not finished.

Mr. DiFrancia advised that he would like to say 7 to 10% are not finished, and even though some customers came back on line, they are still repairing their homes from Hurricane Sandy. That is a rough estimate. Everyone is still working hard to come back from that storm.

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

ENGINEER'S REPORT

Mr. Dittenhofer stated that on behalf of Remington, Vernick & Vena Engineers, he forwarded a written report to the Board. He has only one comment under the General heading with respect to Twin Lakes Water and Sewer Replacement. At the last meeting we reported that we anticipated authorization to bid in the next three weeks. We still haven't received anything.

Mr. Dittenhofer stated that Joe Santorelli from his office is here in attendance. He has been in contact with the DEP on a daily basis with respect to this item.

Mr. Santorelli advised that his office submitted the TWA permit a couple of weeks ago. Once that is approved, and that is the big hold up, we should get the authorization to bid. The State wants to see all the permits. Hopefully we will have contact with someone from the NJEIT in the next few weeks. We should have an answer very quickly.

Mr. Santorelli advised that the TWA is the Treatment Works Approval. Modification of the pipe size to handle the flow triggered a TWA permit.

Mr. Dittenhofer stated that the Piping and Pumping Equipment at Well #14 award was already acted upon.

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

ATTORNEY'S REPORT

Mr. Rumpf advised that he submitted the written report which is fairly self-explanatory. Hopefully by next month we will have more definitive guidance on how to proceed with the Alpine East Electric matter. There was some delay on the part of the other parties involved. We are looking to have this move more quickly in the near future. He invites any questions the Board may have. There were no questions.

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

Mr. Koptic stated that there are a few resolutions on the agenda for action.

A motion was made by Mr. Kobryn, seconded by Mr. Crea to approve Resolution #2016-61 authorizing customer refund(s) for returned water meter(s) and/or MTU(s) for 22 West Boat Drive. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn – yes, Richard Crea – yes, Joseph Koptic – yes.

A motion was made by Mr. Robins, seconded by Mr. Crea to approve Resolution #2016-62 authorizing customer refund(s) for returned water meter(s) and/or MTU(s) for 111 East Boat Drive. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn – yes, Richard Crea – yes, Joseph Koptic – yes.

A motion was made by Mr. Crea, seconded by Mr. Robins to approve Resolution #2016-63 authorizing customer refund(s) for returned water meter(s) and/or MTU(s) for 11 North Binnacle Drive. Roll call vote, Earl Miller – yes, Richard Robins – yes, Eugene Kobryn – yes, Richard Crea – yes, Joseph Koptic – yes.

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 Mr. Crea to accept and file all correspondence. All in favor.

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

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

Mr. Koptic stated that there were a lot of minutes from the last meeting and wanted to compliment us on them.

There being no matters for executive session, and no further business, a motion was made by Mr. Robins, seconded by Mr. Crea to adjourn the meeting. All in favor.

SECRETARY

Approved on (Date)