

**LEHMUA**  
**Regular Meeting**

**January 11, 2022**

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on January 11, 2022, 12:00 PM at the Authority headquarters, 823 Radio Road, Little Egg Harbor, New Jersey and via tele-conference with the Commissioners.

**MEMBERS PRESENT:** Joseph Koptic, Chairman; Margaret DePergola, Vice-Chair; Marie Skelly, Treasurer; Kenneth Miller, Secretary; Kenneth Laney, Peter Cicco, Christopher Filiciello

**OTHERS IN ATTENDANCE:** Earl F. Sutton, Jr., Executive Director; Michael S. DiFrancia, Superintendent; Nicole M. Princiotti, Executive Secretary/QPA; Trace Dittenhofer, Authority Engineer via tele-conference; Debra Rumpf, Esq., Authority Attorney, via tele-conference

**THOSE ABSENT:** None

**OTHERS IN ATTENDANCE:** None

Mr. Sutton advised the Board that before we go to our regular business there were a few items he would like to mention.

Mr. Sutton stated that congratulations are in order for Mr. Laney who has been appointed to the Township Committee. He will no longer serve as a Commissioner for the Authority, and he will be greatly missed.

Mr. Sutton stated that it has been a pleasure having Mr. Laney on our Board and wished him the best as he goes on to serve as a Township Committeeman.

Mr. Laney thanked the Director, Superintendent, Mrs. Princiotti and the Commissioners for the opportunity to serve on the Board. He has learned a lot and stated that the Board runs very smooth, and it has been a pleasure working alongside everyone.

Mr. Laney stated that he is filling the position on the Committee for Bobbi Crea, and that this would be his last meeting with the Authority, but he is sure they will be working together in the future.

Mr. Sutton advised the Board that we have a new member to our Board, Mr. Christopher Filiciello, and introduced him to the Board.

Mr. Filiciello thanked Mr. Sutton and stated that he is looking forward to working with everyone.

Mr. Sutton asked Mrs. Rumpf to take a moment to swear in our new member along with our re-appointed members.

Mrs. Rumpf swore in Mr. Miller, Mr. Cicco and Mr. Filiciello.

Mr. Sutton thanked Mrs. Rumpf and congratulated our re-appointed members as well as our new member.

Nicole M. Princiotti read the following statement:

In accordance with the Open Public Meetings Law, this meeting has been duly advertised in the Atlantic City Press and the 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 Authority's bulletin board.

### PRIOR MINUTES

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve the minutes of the regular meeting of December 14, 2021. Roll call vote, Kenneth Laney – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

### TREASURER'S REPORT

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

### BILLS RESOLUTION

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

### EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Sutton wished everyone a Happy New Year and congratulated our re-appointed members, Mr. Miller and Mr. Cicco and our newly appointed member, Mr. Filiciello.

Mr. Sutton again congratulated and wished Mr. Laney the best of luck in his future endeavors. It has been a pleasure working with him over the last couple of years and we are always available and a phone call away.

Mr. Laney thanked Mr. Sutton.

2 – Mr. Sutton advised the Board that a resolution is being presented adopting a new Job Description Manual due to non-active positions at the Authority. The Personnel Committee discussed these modifications and is recommending adoption.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve Resolution #2022-02 adopting an updated Employee Job Description Manual. Roll call vote, Kenneth Laney – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

3 – Mr. Sutton advised the Board that a resolution is being presented appointing himself, and Mr. Koptic as Fund Commissioners of the NJ Utilities Joint Insurance Fund for the ensuing year. This is done every year and a requirement of the JIF.

A motion was made by Mrs. DePergola, seconded by Mrs. Skelly to approve Resolution #2022-01 appointing Earl F. Sutton, Jr., Executive Director as Fund Commissioner and Joseph Koptic as Alternate Fund Commissioner pursuant to Article III of the By-Laws of the New Jersey Utility Authorities Joint Insurance Fund. Roll call vote, Kenneth Laney – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

4 – Mr. Sutton advised the Board that a resolution is being presented authorizing a refund to a customer for an overpayment made to their account. This has been recommended by the Customer Committee.

Mr. Sutton explained that the home had been sold, however, the customer still had the automatic draft set up. There were two quarters of payments made after the house was sold.

A motion was made by Mr. Miller, seconded by Mr. Laney to approve Resolution #2022-03 authorizing reimbursement to the previous homeowners of 104 East Potomac Drive. Roll call vote, Kenneth Laney – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

5 – Mr. Sutton advised the Board that the next item is concerning a company that is appointed on an annual basis for professional services to perform the random drug and alcohol testing. This is necessary in order to remain in compliance for the CDL testing program. There is a resolution on the agenda for consideration appointing Dynamic Testing as the approved company for these services.

A motion was made by Mrs. DePergola, seconded by Mr. Laney to approve Resolution #2022-04 accepting and awarding a contract for professional services to Dynamic Testing Services for the CDL Random Alcohol and Drug Testing Program. Roll call vote, Peter Cicco – yes, Kenneth Laney – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

With regard to action on Resolution #2022-04, Mr. Koptic was no longer on the tele-conference, therefore Mr. Cicco was called to vote moving forward.

6 – Mr. Sutton stated that with regard to Phase II of the water and sewer main project, the Authority did receive our permit from Ocean County Soils, but we still do not have Authorization to bid from the NJDEP. We will get an update with regard to the same from Mr. Dittenhofer with his report.

7 – Mr. Sutton stated that the customer committee matter was with regard to the previous owners of 104 East Potomac and the refund of their payments. Mr. Sutton asked for a motion regarding the Customer Committee Report.

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

Mr. Sutton stated that there is no need for Executive Session and that unless there were any questions, he would ask for a motion to approve the report as presented.

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

## SUPERINTENDENT'S REPORT

1 - Mr. DiFrancia wished everyone a Happy and Healthy New Year and congratulated our re-appointed Commissioners as well as our newly appointed Commissioner. He looks forward to working with everyone in the upcoming year.

2 - Mr. DiFrancia stated that he would like to express his gratitude and thanks to our staff in particular to those who had to come in on Christmas Day to repair a water main break at the intersection of Radio Road and Country Club Boulevard. It shows the dedication of our staff. These men had to leave their families on Christmas day and didn't return home until around 6 PM. It has been said before, but our staff can be matched to any other group of people working in the industry. Not only was the work completed as quickly as possible with limited service interruption, but it was done at a substantial savings to our ratepayers. This work was done in house in lieu of contacting and paying our emergency contractor, especially on a holiday. Again, a special thanks to our staff.

3 - Mr. DiFrancia stated that the cleaning at the High Ridge Water Tank has been completed and has been sprayed with a mold inhibitor. We anticipate that this will have to be performed on all of our towers every two years in order to maintain the integrity of the towers.

4 - Mr. DiFrancia stated that 23 LLC off of Railroad Avenue is being purchased by K. Hovnanian. No building at this site has begun yet. An agreement is being drawn up and executed by all parties to protect the Authority and the infrastructure which was installed by the original developer per the Authority's Rules and Regulations. Additionally, a deed restriction for these properties is required which must be filed with the County.

5 - Mr. DiFrancia advised the Board that the Maintenance Bond for the High Ridge Water Tower expired January 8, 2022. This has been reviewed by our Lead Inspector as well as himself and we are both satisfied with the outcome and there are no outstanding issues.

6 - Mr. DiFrancia advised the Board that we are waiting for the final plans for the decommissioning of Well No. 5. It is anticipated that we will be advertising for bid in the next several weeks.

7 - Mr. DiFrancia advised the Board that his work order management report has been submitted and reviewed the items.

Mr. Sutton added that he would also like to thank our staff and Mr. DiFrancia with regard to Christmas Day. You can't imagine the commitment to a job of this size until you actually see it. He reminded the Board of the cost to bring in our emergency contractors and stated that the cost savings is substantial when we perform this work in-house.

Mr. Sutton asked if there were any questions for the Superintendent's Report? There being none, a motion was made by Mr. Laney, seconded by Mr. Miller to approve the Superintendent's Report as submitted. All in favor.

## ENGINEER'S REPORT

Mr. Dittenhofer began by wishing everyone a Happy and Healthy New Year and congratulated our re-appointed members as well as our new Commissioner.

Mr. Dittenhofer stated that as an update for Mystic Islands Phase II Water and Sewer Main Replacement, we have received our State Permits and Ocean County Soils Permit. The last item necessary is the authorization to go out to bid from the NJ IBank. We are hoping to obtain this sometime in January.

Mr. Dittenhofer stated that with regard to Phase III of the Mystic Islands Water and Sewer Main Replacement, design is underway of the expanded project areas and we have begun preparation of the State applications. All of the agency applications should be to the Authority by the end of this month.

Mr. Dittenhofer advised that with regard to the decommissioning of Well No. 5, the specifications have been prepared and reviewed by the Authority, and we are waiting for some pieces of information from the State with regard to well records before advertising for bid.

Mr. Dittenhofer stated that was all he had for his report unless there were any questions. There being none, a motion was made by Mr. Miller, seconded by Mrs. DePergola to approve the Engineer's Report as submitted. All in favor.

## ATTORNEY'S REPORT

Mrs. Rumpf wished everyone a Happy New Year and congratulated our Commissioners on their re-appointments and appointments to the Board.

Mrs. Rumpf stated that her report has been submitted and she would be happy to answer any questions.

Mr. Sutton thanked Mrs. Rumpf for her continued work on some of these projects and hopes that they get wrapped up soon. These are lingering matters that have gone on for quite a while that he inherited when he came on board.

Mr. Sutton also thanked Mrs. Rumpf for resolving the Sea Oaks matter and finally getting that cleared up with regard to the outstanding balance remaining on the water and sewer. It was not anticipated to receive payment on the water at this time. But we did. It was a substantial savings to them and it was advised that they make payment.

Mr. Sutton stated that the last item he would like to mention the Governor has once again extended the provisions with regard to the allowance for timelines for payments due to COVID. There is a delay for the tax sale process as it relates to the water, not sewer and this is through March 15, 2022. It would be good if this happens by the 15<sup>th</sup> so the Authority can collect these outstanding water balances.

Mr. Sutton stated that if there was nothing for the Attorney's Report, he would entertain a motion for approval as submitted.

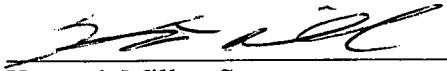
A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve the Attorney's Report as submitted. All in favor.

Mr. Sutton asked if there were any other matters to come before the Board at this time? There being none, a motion was made by Mrs. Skelly, seconded by Mr. Laney to file all general correspondence. All in favor.

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

Mr. Sutton advised that there was no public on the tele-conference and asked for a motion to close this portion of the meeting to the public. A motion was made by Mr. Cicco, seconded by Mrs. DePergola to close this portion of the meeting.

A motion was made by Mr. Cicco, seconded by Mr. Miller to adjourn the meeting. All in favor.

  
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Kenneth Miller, Secretary