

**LEHMUA
Regular Meeting**

October 12, 2022

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on October 12, 2022, 12:00 PM at the Authority headquarters, 823 Radio Road, Little Egg Harbor, New Jersey.

MEMBERS PRESENT: Margaret DePergola, Chairwoman; Marie Skelly, Treasurer; Kenneth Miller, Secretary; Peter Cicco (via tele-conference), Kenneth Maxwell (via tele-conference); 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; Alan Dittenhofer, Authority Engineer; Debra Rumpf, Esq., Authority Attorney

THOSE ABSENT: Joseph Koptic, Vice-Chair

OTHERS IN ATTENDANCE: None

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 Mr. Miller, seconded by Mrs. Skelly to approve the minutes of the September 13, 2022 regular meeting. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

TREASURER'S REPORT

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

BILLS RESOLUTION

A motion was made by Mrs. Skelly, seconded by Mr. Miller to approve the operational account bills resolution. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Sutton advised the Board that the Authority held a bid opening this morning for the water and sewer main tapping and service extensions for Stage Road due to paving grants obtained by the Township. A resolution is being presented recommending award to CTX Infrastructure. They are out of Hammonton.

Mr. Sutton thanked Mrs. Rumpf for her timely review of the bids submitted and coming in this morning for the opening. He advised the Board that there was an addenda to this bid and that is why the bid was held this morning.

Mrs. Rumpf stated that everything was adequate with the bid and that she prepared a letter recommending award to CTX Infrastructure.

A motion was made by Mr. Miller, seconded by Mr. Cicco to approve Resolution #2022-62 awarding a contract to CTX Infrastructure for the water and sewer main tapping and extensions at various locations on Stage Road. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

Mr. Sutton reiterated that the award was to CTX Infrastructure in the amount of \$98,700. This is much needed to move forward with the paving that needs to be done.

2 – Mr. Sutton advised the Board that there are three (3) separate resolutions being presented for the Tier 1, Tier 2, and Tier 3 provisions of the Cyber Security Management as provided by the New Jersey Authority Municipal Excess Liability Joint Insurance Fund. It is recommended that these be adopted. We are already in full compliance with the exception of Tier 3. We are working on that. However, by not being eligible for Tier 3 fully, it increases our potential liability in terms of our deductible in the event of a cyber security issue. In evaluating this, the cost to come into full compliance with Tier 3, far exceeds the deductible of an additional \$5000. To come into compliance, the cost exceeds \$30,000.

Mr. Sutton stated that he does recommend approving the resolutions for Tier 1, 2, and 3.

A motion was made by Mrs. Skelly, seconded by Mr. Cicco to approve Resolution #2022-58 adopting technology risk management standards in compliance with NJMEL Joint Insurance Fund Tier One requirements. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mr. Miller, seconded by Mrs. Skelly to approve Resolution #2022-59 adopting technology risk management standards in compliance with NJMEL Joint Insurance Fund Tier Two requirements. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mr. Miller, seconded by Mr. Cicco to approve Resolution #2022-60 adopting technology risk management standards in compliance with NJMEL Joint Insurance Fund Tier Three requirements. Toll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

3 – Mr. Sutton advised the Board that there is a resolution being presented authorizing the sale of the property located at 102 East Shrewsbury Drive, known as Block 325.10 Lot 2. An official appraisal was performed for the now vacant property where Well No. 5 has been decommissioned. It is recommended that we adopt this resolution.

A motion was made by Mr. Miller, seconded by Mrs. Skelly to approve Resolution #2022-61 authorizing the sale of Block 325.102 Lot 2, 102 East Shrewsbury Drive. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

Mr. Sutton stated that we will be taking the necessary and proper steps to advertise the property and to potentially take action on a public auction. There will be a minimum bid of \$65,000 for this property which is the amount set by the appraisal performed by a licensed appraiser.

4 – Mr. Sutton advised the Board that there is a resolution being presented that was originally going to be introduced by title, but we were able to finalize the resolution. This is in regard to a shared service agreement with the OCUA for the purchase of bioxide, a chemical additive which will substantially reduce the levels of hydrogen sulfide. It's much safer and more cost effective for the Authority.

A motion was made by Mrs. Skelly, seconded by Mr. Miller to approve Resolution #2022-63 authorizing the execution of a uniform shared service agreement with Ocean County Utilities Authority. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

Mr. Sutton stated that it's going to take a couple of months for us to get that product because OCUA has to go through their own formal process.

5 – Mr. Sutton advised the Board that there is another resolution that may have been introduced by title, however, we were able to finalize this resolution as well. There was an auction this morning to obtain electricity at a lower rate per kilowatt. We have entered into these agreements before with EMEX. We were able to get a good rate this morning and it is recommended that we move forward with this agreement.

A motion was made by Mr. Miller, seconded by Mr. Cicco to approve Resolution #2022-64 authorizing the purchase of electricity supply services for public use on an online auction. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

6 – Mr. Sutton stated that as a point of information there was a meeting held with the Authority's telecommunications professional on September 28, 2022. It was very productive and additional information will be provided to the Authority for review soon.

7 – Mr. Sutton stated that once again, he needs to add a reminder that anyone who is in arrears with their water and sewer charges between the period of March 9, 2020 and March 15, 2022, a person may contact the office to make an installment agreement. In addition, there may be other programs available for low-income assistance. To date there are now 11 customers who have submitted application to the State for this program. The State has now begun to pay directly to the Authority some of those individual's accounts that were in the arrears. It was a little confusing because Mrs. Princiotti was notified by our Trustee that a wire was received and there was no information with regard to where the payment should be applied.

Mrs. Princiotti stated that the payment was from the DEP.

Mr. Sutton stated that he appreciates Mrs. Princiotti's efforts in trying to get to the bottom of that. Payments received will attempt to make these customers current, but there is no interest with those late payments. They are required to remain current with their installment arrangements and would be turned over to tax sale in the event that they are behind with the current charges.

Mr. Sutton stated that there are no customer committee matters, nor a need for Executive Session this meeting.

Mr. Sutton stated that was all for his report unless there were any questions.

Mr. Cicco asked that when we have the auction for the property on Shrewsbury Drive, what can they do and not so with that land?

Mr. Sutton stated that would be between the purchaser and the Township. It is potentially going to be a buildable lot, but the property could be purchased by an adjoining property owner in order to consolidate it through a subdivision but, would ultimately need approval from the Township Planning Board. None of these are contingent upon us selling the property.

There being no additional matters for the Executive Director's Report, a motion was made by Mr. Miller, seconded by Mr. Maxwell to approve the Executive Director's Report as submitted. All in favor.

SUPERINTENDENT'S REPORT

1 – Mr. DiFrancia stated that the decommissioning of Well No. 5 has been approved and fully executed by the DEP. The Decommissioning Report as been sent to the State on time and we are in good standing.

2 – Mr. DiFrancia advised the Board that on October 6, 2022, Pump Station No. 2 located on Ocean Boulevard and Radio Road had a pipe failure in the dry pit. He along with the employees worked 13 hours repairing this. He is happy to report that the quick response to this failure prevented wastewater from leaving the facility.

3 – Mr. DiFrancia stated that as mentioned he and the employees spent 13 hours repairing the pipe that blew apart at Pump Station No. 2. He reminded the Board that last month there was some discussion with regard to the rehabilitation of this entire pump and performing all the work in-house. The piping, valves and injectors have reached the end of their life span at this facility and it is currently being by-passed with a temporary portable pump. The pipe failure has sped this project to the forefront significantly and we will continue to rehab this facility.

4 – Mr. DiFrancia stated that in late September we had our one-year robotic inspection of the work performed by Allied Painting on the Holly Lake Water Towner located on Great Bay Boulevard. Everything was good with the inspection and there is still one year remaining on the maintenance bond in the event there is an issue in the future.

5 – Mr. DiFrancia advised the Board that we are still set to have the field trip to the Water Treatment Plant at Well No. 12 after the meeting.

6 – Mr. DiFrancia stated that his work order management report was included with the package and reviewed the items.

Mr. DiFrancia stated that was all for his Superintendent's Report unless there were any questions. There being none, a motion was made Mr. Miller, seconded by Mrs. Skelly to approve the Superintendent's Report as submitted. All in favor.

ENGINEER'S REPORT

Mr. Dittenhofer wished everyone well and stated the Engineer's Report has been submitted for review. He will review a few items that have been updated.

Mr. Dittenhofer stated that with regard to Phase II of the Mystic Islands Water and Sewer Main Replacement Project, this has been ongoing. We submitted our response back to the engineering department of the IBank and there has been a discussion with our Project Manager's supervisor and he is hopeful we can advertise for bid sometime in the next week.

Mr. Dittenhofer stated that with the downturn cost in oil and materials, he is hopeful it will provide some favorable pricing within the bids for this project, as opposed to what it was or would have been a year ago.

Mr. Dittenhofer stated that with Phase III, we are waiting for authorization to advertise Phase II before submitting permits for Phase III.

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

ATTORNEY'S REPORT

Mrs. Rumpf wished everyone well and stated that her report has been submitted for approval.

Mrs. Rumpf stated that she has had conversations with the Executive Director and has been working with ACE Telecommunications. We are trying to find out what avenues we can take and our liability with Landmark. They will be speaking again on Friday.

Mr. Sutton stated that we have a lot more clarity now and the conversations have been very productive, and thanked Mrs. Rumpf for her continued efforts with regard to this.

Mrs. Rumpf stated that was all for her report unless there were any questions. There being none, a motion was made by Mr. Miller, seconded by Mr. Cicco to approve the Attorney's Report as submitted. All in favor.

Chairwoman DePergola asked if there were any matters to come before the Board? There being none, a motion was made by Mr. Cicco, seconded by Mr. Miller to accept and file all general correspondence. All in favor.

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

With nothing else further coming before the Board, a motion was made by Mr. Cicco, seconded by Mr. Miller to adjourn. All in favor.


Kenneth Miller, Secretary