

**LEHMUA
Regular Meeting**

January 9, 2023

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on January 9, 2023, 12:00 PM at the Authority headquarters, 823 Radio Road, Little Egg Harbor, New Jersey.

MEMBERS PRESENT: Margaret DePergola, Chairwoman; Joseph Koptic, Vice-Chair (via tele-conference) Marie Skelly, Treasurer; Kenneth Miller, Secretary; Peter Cicco; Kenneth Maxwell (via tele-conference), Christopher Filiciello (via tele-conference)

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

THOSE ABSENT: None

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 to the meeting, Mrs. Skelly was sworn in by the Authority's Attorney Mrs. Rumpf.

The Board and members of the Authority congratulated Mrs. Skelly on her re-appointment.

PRIOR MINUTES

A motion was made by Mr. Cicco, seconded by Mr. Miller to approve the minutes of the December 12, 2023 regular meeting. Roll call vote, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Joseph Koptic – yes, Margaret DePergola – yes.

TREASURER'S REPORT

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

BILLS RESOLUTION

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

EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Sutton began by congratulating Mrs. Skelly on her re-appointment to the Authority's Board. It has been a pleasure serving with her, and he has appreciated her continuous support over the years.

2 – Mr. Sutton advised the Board that Resolution #2024-01 is on the agenda naming Connor Strong & Bucklew as our Risk Management Consultants for the ensuing year. It is recommended for approval.

3 – Mr. Sutton stated that Resolution #2024-02 is on the agenda naming Dynamic Test Service as our official drug and alcohol screener. We have used DT Services over many years and awarding the contract for the ensuing year is recommended.

4 – Mr. Sutton advised the Board that Resolution #2024-03 is on the agenda naming himself as the Public Agency Compliance Officer for the Authority. This is something we do each year to remain in compliance with the State.

5 – Mr. Sutton advised the Board Resolution #2024-04 was anticipated to be on the agenda for approval. The Authority had a successful bid opening this morning for the painting and rehabilitation of the Sea Oaks Water Tower. However, we were notified right after the bid opening that there was a bid protest being made by the attorney representing Allied Painting, which was the second lowest bidder. There were some issues that were raised that are under investigation.

Mr. Sutton stated that he really appreciates Mrs. Rumpf's efforts in reviewing these. We were prepared to move forward. However, with this particular challenge it was in the opinion of the Authority's Qualified Purchasing Agent, Nicole Princiotti and Mrs. Rumpf who concurs, that it may be prudent to allow the lowest bidder to answer the questions raised by the second lowest bidder's legal counsel.

Mr. Sutton advised the Board that because of the time constraints with completing this tower, we may have to hold a special meeting this month. It will require a quorum but can be done via tele-conference. He anticipates that will be the only matter to come before the Board at that time. It is more prudent to do it this way than to move forward and risk possible litigation.

Mr. Sutton stated that we will need a motion to table Resolution #2024-04.

A motion was made by Mr. Cicco, seconded by Mr. Miller to table Resolution #2024-04. Roll call vote, Pete Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Joseph Koptic – yes, Margaret DePergola – yes.

6 – Mr. Sutton stated that Resolution #2024-05 is on the agenda for the refund to the State of New Jersey as the result of a posting error. This particular payment was part of the State program where the State offers assistance to those who are in arrears with their utility bills. It is recommended for approval.

7 – Mr. Sutton advised the Board that the reorganization information will be provided to the Board prior to the next meeting.

8 – Mr. Sutton took a moment to thank Mrs. Trettin from our office, and Ms. Cook of the Tax Collector's office for their excellent efforts during the tax sale process.

Mr. Sutton advised the Board that there is no customer committee matter or need for Executive Session. At this time, he would recommend we address the Resolutions.

A motion was made by Mr. Cicco, seconded by Mr. Koptic to approve Resolution #2024-01 authorizing the acceptance and execution of Risk Management Consultant's Agreement with Connor Strong & Buckelew. Roll call vote, Pete Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Joseph Koptic – yes, Margaret DePergola – yes.

A motion was made by Mr. Miller, seconded Mrs. Skelly to approve Resolution #2024-02 accepting the contract for professional services with Dynamic Testing for CDL random alcohol and drug testing. Roll call vote Pete Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Joseph Koptic – yes, Margaret DePergola – yes.

A motion was made by Mrs. Skelly, seconded by Mr. Cicco to approve Resolution #2024-03 appointing Earl F. Sutton, Jr. as the Authority Public Agency Compliance Officer. Roll call vote, Pete Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Joseph Koptic – yes, Margaret DePergola – yes.

A motion was made by Mr. Miller, seconded by Mr. Cicco to approve Resolution #2024-05 authorizing the refund of \$1,033.50 to the State of New Jersey. Roll call vote Pete Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Joseph Koptic – yes, Margaret DePergola – yes.

Mr. Sutton 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 Executive Director's Report as submitted. All in favor.

SUPERINTENDENT'S REPORT

1 – Mr. DiFrancia stated that as part of the township ordinance for mandatory connections, we added a fire hydrant at the corner of Route 9 and Otis Bog Road. After receiving satisfactory bacteria results, the fire hydrant was made active. To protect the hydrant, metal bollards were installed around the fire hydrant by Authority personnel.

2 – Mr. DiFrancia stated that at the request of the NJDEP the Authority has updated all of our information on the DEP websites. The update brings all of the Authority's information current and aids in documentation and correspondence between the Authority and the NJDEP in the event of an emergency situation.

3 – Mr. DiFrancia stated that after 30 years of service and many repairs, the Authority's gas pumps finally required replacing. The new gas pumps were purchased and installed by Authority personnel with significant savings to the rate payers.

4 – Mr. DiFrancia stated that due to recent high winds we had several trees come down at Pump Station #8, located on Middle Holly Lane. These trees damaged the existing wooden fence. New fencing was purchased and installed around the entire compound by the authority's personnel in-house, again resulting in savings to the rate payers.

5 – Mr. DiFrancia advised the Board that once Phase II of the water and sewer main project is off the ground we will begin Phase III. The reason he is mentioning this is because during the holiday, the Authority was required to respond to a sewer collapse on South Longboat Drive, which is one of the streets in Phase III. We were able to maintain the collapse by pumping down the sewer line in 8-hour increments on Christmas Day with no disruption to the homeowners. The following day, he, along with the Authority personnel mobilized to the collapse and removed and replaced approximately 10 feet of compromised sewer. This is slated for full replacement under our rehabilitation plan, however, NJDEP approval has still not been granted.

6 - Mr. DiFrancia stated that his Work Order Management Report has been submitted and reviewed the information.

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

ENGINEER'S REPORT

Mr. Dittenhofer congratulated Mrs. Skelly on her re-appointment to the Authority's Board and advised that his report has been submitted for review.

Mr. Dittenhofer stated there were a couple of things he would like to review.

Mr. Dittenhofer stated with regard to the Sea Oaks Water Tower rehabilitation, the Authority personnel and his firm have been working to get the specs ready and advertised, and obviously, the bid was held this morning. At the moment the lowest bid is being challenged, but hopefully we will have a better answer in the next couple of days.

Mr. Dittenhofer thanked the Authority staff for getting this done, especially with the holidays. His office was impressed with how the Authority was able to help them complete the specifications for this tower rehab.

Mr. Dittenhofer advised the Board that with regard to Phase II of the Water and Sewer Main Replacement Project we are still waiting for NJIB Final Authorization to advertise for bid. However, he would like to offer a better explanation of why this is delayed.

Mr. Dittenhofer stated that as everyone is aware the IBank loans money to public entities for water improvements. And now because they are referred to as the New Jersey Infrastructure Bank, they offer money for sewer improvements as well.

Mr. Dittenhofer explained that there are three different prongs that must be satisfied before we are given authorization to advertise and then fund them once they are bid. There is the SED, which is the Socially and Economically Disadvantage, engineering approval, and an environmental approval. We have satisfied the engineering approval and the environmental approval. We still have an ongoing issue with the SED. We were granted approval back in September of 2023, however the staff member he has worked with stated that we don't have SED approval. In his opinion, (Mr. Dittenhofer) we have already gotten SED approval.

Mr. Dittenhofer said that he really doesn't know why this has come about now but thinks it could be the nature of how government and state level politics run.

Mr. Dittenhofer apologized and stated that he understands this comes as a large detriment to the Authority. He guaranteed the Board that this is top priority.

Mr. Dittenhofer stated that as soon as we get Phase II advertised, we will begin the process with Phase III. He doesn't anticipate any red flags with this project as we move through the process.

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

ATTORNEY'S REPORT

Mrs. Rumpf advised the Board that her report has been submitted and she would be happy to answer any questions at this time.

There being none, a motion was made by Mrs. Skelly, seconded by Mr. Cicco to approve the Attorney's Report as submitted. All in favor.

A motion was made by Mr. Cicco, seconded by Mr. Koptic to accept and file general correspondence. All in favor.

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

There being nothing further to come before the Board, a motion was made by Mr. Cicco, seconded by Mr. Miller to adjourn. All in favor.


Kenneth Miller, Secretary