

**LEHMUA  
Regular Meeting**

**May 14, 2024**

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on May 14, 2024, 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; Kenneth Maxwell (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 (via tele-conference); Debra Rumpf, Esq., Authority Attorney

**THOSE ABSENT:** Joseph Koptic, Christopher Filiciello

**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. Cicco, seconded by Mr. Miller to approve the minutes of the April 9, 2024 regular meeting. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margare DePergola – yes.

**TREASURER'S REPORT**

A motion was made by Mr. Miller, 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, Margare DePergola – yes.

**BILLS RESOLUTION**

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

**BUDGET HEARING**

Mr. Sutton asked for a motion to open this portion of the meeting to the public for the purposes of the Budget Hearing for the Fiscal Year July 1, 2024 through June 30, 2025.

A motion was made by Mr. Miller, seconded by Mrs. Skelly 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.

## EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Sutton advised the Board that the Authority had a rate hearing on May 8, 2024. The meeting was properly advertised and a Court Reporter was retained by the Authority. Mrs. Rumpf was in attendance as well as Mr. Logan via zoom. There is a resolution on the agenda to adopt the rates and fees for the fiscal year July 1, 2024 through June 30, 2025. There is a \$1.00 per month increase across the board for each utility, for a total of \$24.00 per year. No one from the public attended the hearing.

2 – Mr. Sutton advised the Board that because the rates and fees have been formally adopted, the Authority can move forward with the adoption of the proposed budget for the 2024-2025 fiscal year. There are three (3) resolutions being presented; the water utility, sewer utility and combined water and sewer. Approval is recommended.

Mr. Sutton advised the Board as a point of information, the State has already approved our budget, and this is just a matter of formal action.

3 – Mr. Sutton advised the Board that there is a resolution on the agenda to award the Phase II Water and Sewer Main Replacement Project to P&A Construction in the amount of \$5,940,936. The good news for our rate payers is the lowest bidder came in \$603,248.00 less than the second lowest bidder. The bids have been reviewed by legal counsel and our engineer, and both have made recommendations for award.

Mr. Sutton thanked Mr. Dittenhofer and Mrs. Rumpf for their expertise in this matter.

4 – Mr. Sutton advised the Board that there is also a Bond Resolution on the agenda for approval. This will put the funding in place for Phase II under the IBank.

5 – Mr. Sutton advised the Board that there is a resolution on the agenda granting tentative water approval for JLC-EOB, LLC subject to the items being completed in the letter from Remington & Vernick Engineers.

6 – Mr. Sutton stated that there is also a resolution on the agenda granting tentative sewer approval for JLC-EOB, LLC subject to the items being completed listed on the letter from Remington & Vernick Engineers.

Mr. Sutton reminded Mr. Miller that he previously agreed to abstain from voting on this particular applicant as it is a potential conflict of interest.

Mr. Miller agreed.

7 – Mr. Sutton advised that there is also a resolution on the agenda granting UPI Painting an extension on the painting of the Sea Oaks Water Tower. This is mainly based on weather delays. Approval is recommended.

8 – Mr. Sutton advised that there is a resolution on the agenda regarding the release of the Performance Guarantee, subject to the proper posting of Maintenance Guarantee for CTX Construction for the various main tapping project. It is recommended for approval.

Mr. Sutton advised that there are no items for customer committee or a need for executive session.

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

Mr. Miller asked about number seven (7) on his report.

Mr. Sutton stated that we will need to take action by motion. This is for the final water and sewer application approval for JLC-EOB, LLC which we are denying at this time. There are too many outstanding issues that need to be addressed. At the next meeting we anticipate being able to grant them final. Right now, we are only granting tentative.

Mrs. DePergola asked for a motion denying final water approval for JLC-EOB, LLC. A motion was made by Mr. Cicco, seconded by Mrs. Skelly to deny final water approval. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mr. Cicco, seconded by Mrs. Skelly denying final sewer approval for JLC-EOB, LLC. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes.

Mr. Sutton advised the Board that they could take action on the remaining resolutions at this time.

A motion was made by Mrs. Skelly, seconded by Mr. Cicco to approve Resolution #2024-18 approving the rates and charges for the sewer and water facilities for year July 1, 2024 through June 30, 2025. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mr. Cicco, seconded by Mr. Miller to approve Resolution #2024- 19 adopting the Authority's Water Budget for fiscal year July 1, 2024 through June 30, 2025. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve Resolution #2024-20 adopting the Authority's Sewer Budget for fiscal year July 1, 2024 through June 30, 2025. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mr. Cicco, seconded by Mr. Miller to approve Resolution #2024-21 adopting the Authority's Water and Sewer combined Budget for fiscal year July 1, 2024 through June 30, 2025. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mr. Cicco, seconded by Mr. Miller to approve Resolution # 2024-22 awarding contract for water and sewer improvements for Phase II Mystic Islands Water and Sewer Main Project. Roll call, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mr. Cicco, seconded by Mr. Miller to approve Resolution #2024-23 granting a 30-day extension to United Painters, Inc. to complete the rehabilitation to the Sea Oaks Water Tower. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mrs. Skelly, seconded by Mr. Cicco to approve Resolution #2024-24 approving tentative water application for JLC-EOB, LLC. Block 282.01 Lot 8.02. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mrs. Skelly, seconded by Mr. Cicco to approve Resolution #2024-25 approving tentative sewer application for JLC-EOB, LLC. Block 282.01 Lot 8.02. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes.

A motion was made by Mrs. DePergola, seconded by Mrs. Skelly to approve Resolution #2024-26 authorizing the issuance of not to exceed \$7,100,000.00 Township service contract subordinate bonds of the Little Egg Harbor Municipal Utilities Authority and providing for their sale to the New Jersey Infrastructure Bank and the State of New Jersey and authorizing the execution and delivery of certain agreements in connection therewith for the Authority's Phase II Mystic Islands Sewer and Water Main Projects. 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 #2024-27 granting the release of the Performance Bond for CTX Construction subject to the posting of the proper Maintenance Bond for the various water and sewer main extensions. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Kenneth Miller – yes, Marie Skelly – 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 Mrs. Skelly to approve the Executive Director's Report as submitted. All in favor.

### SUPERINTENDENT'S REPORT

1 – Mr. DiFrancia stated that unfortunately, the weather has not been cooperating with the rehabilitation of the Sea Oaks Water Tower. As of today, we are about 95% complete. It has been a grueling 2 ½ months with the tower offline. There should not be an issue with getting the tower back on line.

Mr. DiFrancia advised the Board that they are doing the "holiday test" today which determines how many mills are on the inside of the tank to protect the infrastructure, the metal in the tank. If there are any areas that are negative, they touch up those areas, but unfortunately with seven (7) days of cure time for the tank to be filled, so it will be down to the eleventh hour with getting this tank online before Memorial Day Weekend.

Mr. DiFrancia assured the Board that if we do not meet the Memorial Day deadline he is still prepared for the demand on the system.

Mr. DiFrancia thanked Mr. Mulvihill for his dedication and endless work hours during the rehabilitation of the water tower.

Mr. DiFrancia passed out a picture of what the water tower will look like upon completion. He is pleased with the artwork, and he has received positive feedback from some residents as well.

2 – Mr. DiFrancia stated that during the month of April it was discovered at the Holly Lake Treatment Plant (Well No. 6) our oldest plant in the system, has a small leak at the bottom of the vessel in Filter No. 1. Ultimately the filter has reached its service life expectancy and will need to be replaced in the immediate future. Due to lead times and the length of time the plant would need to be off-line, the Authority has performed a temporary repair in hopes of getting through the summer months with the failing filter vessel. This treatment plant is an absolute necessity during our summer months with the high demands.

Mr. DiFrancia briefly explained how this filter works, and the importance of it to our system.

Mr. DiFrancia stated that we are in the process of putting bid specifications together and are formally requesting authorization to go to bid once they are finalized.

A motion was made by Mr. Cicco, seconded by Mr. Miller authorizing the Authority to go to bid for a new filter for Well No. 6. All in favor.

3 – Mr. DiFrancia advised the Board that in April the Authority's Jet Vac truck and Authority personnel assisted the Township with a storm drain blockage located behind Atlantis Pump Station. We were able to help clear the piping as best as possible to alleviate the blockage.

4 – Mr. DiFrancia stated that our annual NJDEP visit evaluation took place in late April. The visit consisted of three (3) employees from NJDEP visiting all of the Authority's treatment plants, wells, water towers and pump stations. Once onsite they performed detailed inspections to assure compliance and do a thorough review of all of the Authority's reports, documentation and record keeping to ensure they are current and in compliance with their stringent regulations.

Mr. DiFrancia stated that the inspectors made it clear that our Authority was the "best" Authority they have audited to date.

5 – Mr. DiFrancia advised the Board that his work order management report has been submitted and reviewed the report with the Board.

Mr. DiFrancia 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 Superintendent's Report as submitted. All in favor.

### ENGINEER'S REPORT

Mr. Dittenhofer advised the Board that his report has been submitted for review and approval.

Mr. Dittenhofer stated that first on his report is the resolution already approved awarding Phase II of the Mystic Island Water and Sewer Main Replacement project to P&A Construction.

Mr. Dittenhofer stated that the second item is with regard to an update on Phase III of the Mystic Islands Water and Sewer Main Project. The Executive Director has submitted step two of the application. We are waiting for the engineering review to be signed.

Mr. Dittenhofer stated that the final capital improvement item to be mentioned, Sea Oaks Water Tank is the 30-day extension for UPI Painting due to some weather issues causing delays in the completion of the project.

Mr. Dittenhofer stated that the other two items are with regard to the applications for JLC-EOB, LLC, which have been previously covered by the Executive Director.

Mr. Dittenhofer 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 Engineer's Report as submitted. All in favor.

#### ATTORNEY'S REPORT

Mrs. Rumpf stated that her report has been attached for review. She would be happy to answer any questions at this time.

There being no questions, a motion was made by Mrs. Skelly, seconded by Mr. Cicco, to approve the Attorney's Report as submitted. All in favor.

Mrs. DePergola asked if there were any other 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 Mrs. Skelly, seconded by Mr. Miller 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.



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Kenneth Miller, Secretary