

**LEHMUA**  
**Regular Meeting**

**December 10, 2024**

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on December 10, 2024 at 12:00 PM at the Authority headquarters, 823 Radio Road, Little Egg Harbor, New Jersey.

**MEMBERS PRESENT:** Kenneth Miller, Chairman, Margaret DePergola, Vice-Chairwoman; Marie Skelly, Treasurer; Peter Cicco, Secretary; 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; 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 MINUTES**

A motion was made by Mrs. DePergola, seconded by Mr. Cicco to approve the November 12, 2024 minutes of the regular meeting. Roll call vote, Christopher Filiciello – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

**TREASURER'S REPORT**

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

**BILLS RESOLUTION**

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

**EXECUTIVE DIRECTOR'S REPORT**

1 – Mr. Sutton wished everyone a Happy and Healthy upcoming holiday season with family and friends. He is looking forward to next year to see more positive things the Authority can accomplish. He thanked the Board for continuous support throughout the year to him and his staff.

2 – Mr. Sutton advised the Board that he has submitted a requisition to the NJ IBank for over three (3) million dollars which the Authority has paid to the contractor for Phase II. He will be glad when we get reimbursed these funds from the short-term loan we just closed on in October.

3 – Mr. Sutton advised the Board that he, along with the Superintendent met with the Personnel Committee to discuss several matters on December 5, 2024. Minutes were attached with the packages reflecting this discussion.

4 – Mr. Sutton stated that Resolution #2024-49 is on the agenda regarding the adoption of an updated Employee Job Description Manual. One new position has been created along with additional skills and certifications required for another current position. Approval is recommended.

5 – Mr. Sutton advised the Board that Resolution #2024-50 is on the agenda hiring Richard Sutterlin, III to a permanent position of Utility Worker. Approval is recommended.

Mr. Sutton explained that Mr. Sutterlin's 90-day probation period ends on December 25, 2024. He has shown to be an excellent employee. In good faith, rather than wait until the January meeting and making him permanent at that time, it was decided to hire him permanently at this meeting effective December 25, 2025.

6 – Mr. Sutton stated that Resolution #2024-51 is on the agenda establishing the position of Buildings and Grounds Maintenance. Approval is recommended.

7 – Mr. Sutton advised the Board that Resolution #2024-52 is on the agenda promoting Robert Capaccio to the position of Buildings and Grounds Maintenance. Approval is recommended.

8 – Mr. Sutton stated that Resolution #2024-53 is on the agenda promoting Scott Schools to the position of Inspector. Approval is recommended.

9 – Mr. Sutton advised the Board that Resolution #2024-54 is on the agenda approving Change Order No. 1 for UPI Painters, Inc. This will result in an overall net decrease for the project in the amount of \$16,288.00. Approval is recommended contingent on the Contractor providing the necessary bonding and certified payroll records.

10 – Mr. Sutton stated that Resolution #2024-55 is on the agenda approving the release of the performance bond posted by UPI Painters, Inc. Approval is recommended contingent on the Contractor providing the necessary bonding and certified payroll records as well as any other conditions as noted in the recommendation of letter of the Authority's Engineer.

Mr. Sutton stated that there are no customer committee matters, nor a need for executive session.

Mr. Sutton stated that there is one more item he would like to discuss. It is customary this time of year that we receive authorization from the Board to write a letter to the Governing Body of Little Egg Harbor Township asking for the re-appointment of our commissioners. In this case, Mrs. DePergola's term will expire in February 2025. The Township Clerk has already reached out to himself and Mrs. DePergola asking if she still has interest in sitting on the Board of the MUA. Thankfully, Mrs. DePergola is and she has expressed that.

Mr. Sutton stated there is also another vacancy for the unexpired term of Mr. Koptic. There may be some changes. It is usually customary to move alternates up, and the new appointment would

become an alternate. Historically, he said he does not make recommendations to the Governing Body for vacancies.

Mr. Sutton stated that if authorized by the Board, he will write the letter to the Governing Body recommending re-appointment of Mrs. DePergola to our Board for another term.

A motion was made by Mr. Cicco, seconded by Mrs. Skelly authorizing the Executive Director to write a letter to the Governing Body of Little Egg Harbor Township, recommending re-appointment of Mrs. DePergola to the Authority's Board for another term. All in favor.

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

Mr. Cicco asked for clarification with regard to Resolution #2024-54 and the net decrease on the contract for UPI Painters, Inc. He inquired whether this was because the project came in under budget.

Mr. Sutton stated that the good thing is the entire project as a whole when we bid it, came in less than what we anticipated. However, yes, there still was a net decrease due to line items initially bid that were not utilized.

Nothing further to come before the Board for the Executive Director's Report, a motion was made by Mr. Cicco, seconded by Mrs. Skelly to approve the Executive Director's Report as submitted. All in favor.

#### PERSONNEL COMMITTEE

Mr. Sutton re-iterated that he and the Superintendent held a meeting with the Personnel Committee to discuss some personnel matters. That report is attached. He noted that there is a small change with regard to his initial report submitted with the packages.

Mr. Sutton explained that we had interviewed and hired this particular person, had him set for his drug testing, pre-employment physical and his uniforms. Unfortunately, it came down to the wire, and he decided not to take the job.

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

#### SUPERINTENDENT'S REPORT

1 – Mr. DiFrancia advised the Board that in continuing with scheduled maintenance and repairs, a newly rebuilt brine pump was installed at Well No. 8 and No. 9. The brine pump is critical to the re-engineering of the filter media in order to ensure we have excellent water quality. The pump was installed in-house by Authority personnel.

2 – Mr. DiFrancia advised the Board that the Authority performed "turn-offs" for the Township at both the Veterans Park and Mystic Ball Field. This allows for the Township to properly winterize the irrigation system and buildings at each facility. In addition, the Authority's tow-behind compressor was on loan to the Township to assist them with winterizing multiple township irrigation systems and facilities.

3 – Mr. DiFrancia stated that on December 4, 2024 he and the Authority's personnel with the assistance of KRS Services successfully rehabilitated Sewer Pump Station No. 12 on Hickory

Lane. Permanent bypass equipment and valves were installed in the valve pit chamber to redirect the wastewater to the sewer force main. Once the bypass was in operation all the pump railings, brackets, 90-degree elbows and discharge piping were replaced in the wet well. This has secured the infrastructure of the pump station for another 25 years or more. We are in the process of receiving quotes for an ultra-high build epoxy coating with high physical strength to be applied to the inside of the wet well to protect the inner concrete of the structure and pipe.

Mr. DiFrancia briefly described how the gases in the wet well erode the concrete, and how this epoxy lining will further protect the wet well.

4 – Mr. DiFrancia advised the Board that Resolution #2024-56 is on the agenda regarding preliminary water approval for AVB Real Estate, LLC. Approval is recommended.

5 – Mr. DiFrancia advised the Board that Resolution #2024-57 is on the agenda denying tentative water approval for AVB Real Estate, LLC. Approval of the resolution is recommended.

6 – Mr. DiFrancia advised the Board that Resolution #2024-58 is on the agenda regarding preliminary sewer approval for AVB Real Estate, LLC. Approval is recommended.

7 – Mr. DiFrancia advised the Board that Resolution #2024-59 is on the agenda denying tentative sewer approval for AVB Real Estate, LLC. Approval of the resolution is recommended.

8 – Mr. DiFrancia stated that his work order management report is attached and reviewed the items with the Board.

Mr. DiFrancia wished everyone a Merry Christmas and a Happy and Healthy New Year.

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 Mrs. DePergola to approve the Superintendent's Report as submitted. All in favor.

Mr. Sutton advised the Board that they could take the Resolutions at this time.

A motion was made by Mrs. Skelly, seconded by Mr. Cicco to approve Resolution #2024-49 adopting an updated employee job description manual. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Cicco to approve Resolution #2024-50 appointing Richard Sutterlin, III to the position of Utility Worker. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Cicco to approve Resolution #2024-51 establishing the position Building and Grounds Maintenance for the Little Egg Harbor MUA. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mr. Cicco, seconded by Mrs. DePergola to approve Resolution #2024-52 promoting Robert Capaccio to the position of Building and Grounds Maintenance. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mr. Cicco, seconded by Mrs. Skelly to approve Resolution #2024-53 promoting Scott Schools to Inspector. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mr. Cicco, seconded by Mrs. DePergola to approve Resolution #2024-54 approving Changer Order No. 1 for United Painters, LLC. with regard to the water tower painting and upgrades at Sea Oaks. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mr. Cicco, seconded by Mrs. Skelly to approve Resolution #2024-55 authorizing the release of a performance bond contingent upon posting of a maintenance guarantee by Untied Painters, Inc. in regard to the painting and upgrades for the Sea Oaks Water Tower. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Cicco to approve Resolution #2024-56 granting preliminary water approval for AVB Real Estate, LLC., Block 78 Lot 3. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mr. Cicco, seconded by Mrs. Skelly approving Resolution #2024-57, denying tentative water approval for AVB Real Estate, LLC., Block 78 Lot 3. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Cicco approving Resolution #2024-58 granting preliminary sewer approval for AVB Real Estate, LLC., Block 78 Lot 3. Roll call vote Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mrs. Skelly, seconded by Mr. Cicco approving Resolution #2024-59, denying tentative sewer approval for AVB Real Estates, LLC., Block 78 lot 3. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

A motion was made by Mrs. DePergola, seconded by Mr. Cicco approving Resolution #2024-60 authorizing the Authority to enter into a Co-Operative Purchasing agreement with Somerset County. Roll call vote, Kenneth Maxwell – yes, Peter Cicco – yes, Marie Skelly – yes, Margaret DePergola – yes, Kenneth Miller – yes.

## ENGINEER'S REPORT

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

Mr. Dittenhofer stated that with regard to Phase II of the Mystic Islands Water and Sewer Main Project, the job is well underway and as mentioned at the last meeting we granted P&A Construction a time extension. We believe that the project will be completed per that time extension.

Mr. Dittenhofer stated that with regard to Phase III of the Mystic Islands Water and Sewer Main Project, all of the permitting packages for the respective agencies have been submitted and deemed administratively complete. The NJDEP agencies don't participate in a lot of communication outside of official letters, they don't want to have phone conversations. We probably won't hear from them until we get a formal letter, which he hopes to have before Christmas.

Mr. Dittenhofer stated that with regard to the Sea Oaks Water Tower, the change order and final payment has already been approved. Although there were some challenges with the project, he believes it worked out well, and knows it will serve the Authority for years to come.

Mr. Dittenhofer stated that the final items with regard to development applications have also been discussed, but as a point of information, there are corresponding letters from his firm with regard to the recommendations made.

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

Mr. Dittenhofer wished everyone a Happy and Healthy Holiday Season.

#### ATTORNEY'S REPORT

Mrs. Rumpf advised the Board that her report has been attached and she would be happy to address any questions.

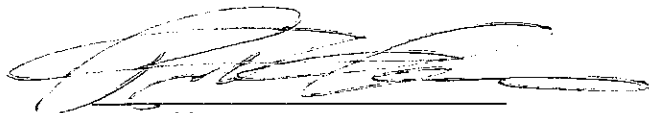
There being none a motion was made by Mrs. DePergola, seconded by Mrs. Skelly to approve the Attorney's Report as submitted. All in favor.

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

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

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



Peter Cicco, Secretary