



Board of Commissioners

Senator Robert Singer, Chairman

Mayor Raymond Coles, Vice Chairman

Craig Theibault, Treasurer

Anne Fish, Assistant Secretary

Yocheved Miller, Commissioner

Samuel Flancbaum, Alt. Commissioner

Meir Lichtenstein, Alt. Commissioner

THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

August 6, 2024

- I.** Senator Singer opened the meeting at 10:02 A.M. in the conference room of the Lakewood Township Municipal Utilities Authority, 390 New Hampshire Avenue, Lakewood, NJ 08701

- II.** It was announced that in accordance with Chapter 231, Public Law, adequate notice of this meeting was given and that a notice of this scheduled meeting was filed with the Township Clerk and posted in the Municipal Building in a place accessible to the public and by means of public notices in the Asbury Park Press on February 9, 2024 and the Lakewood Shopper on February 9, 2024.

- III. Salute to the Flag**

- IV. Roll Call of Commissioners**

On roll call the following Commissioners were present: Mrs. Miller, Mayor Coles, Mr. Theibault, Mr. S. Flancbaum, Committeeman Lichtenstein and Senator Singer.

The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq., Mr. Justin Flancbaum, Executive Director, Mr. Gerwin Bauer, Auditor, Mr. Donald Sondak, Chief Financial Officer/Human Resources Director, Mr. Colin Farrell, CEng MIEI Director of Engineering, Mr. Adam Ponsi, P.E., and Mr. Bob Farina, Director of Operations.

- V. Minutes**

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

390 NEW HAMPSHIRE AVENUE, LAKEWOOD, NEW JERSEY 08701

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Motion to approve the minutes of the Regular Monthly Meeting held on July 9, 2024 was made by Mr. S. Flancbaum and seconded by Mayor Coles. On **roll call**, Mayor Coles and Mr. Theibault abstained, all other seated members voted **“Yes.” Motion carried.**

VI. Chief Financial Officer Report

Given by Mr. Donald Sondak, CFO/Human Resources Director

1. Resolution to revise Metering Project intent to borrow, revise authorization for a note, revised authorization for a bond

We are modifying the scope of our upcoming meter replacement project to include additional meters which would otherwise need replacing approximately when this project ends. This new single resolution with include:

- 1 - Metering Project
intent to borrow
- 2 - Authorization for a
note
- 3 - Authorization for a Revenue Bond

This single Resolution prepared by our Bond Counsel will revise all required documentation for these changes.

- **Resolution No. 24-66** Amending the note and bond resolutions relating to the Authority’s meter replacement project in order to increase the authorized amounts of notes and bonds to reflect an increase in the estimated cost thereof

Motion was made by Mayor Coles and seconded by Mr. S. Flancbaum. On **roll call**, all members voted **“Yes”**. **Motion** carried.

2. Resolution to add Roth IRA option to our DCRP program through Empower, as instructed by the State of NJ

Resolution to add Roth IRA option to our DCRP program through Empower, as required by the State of NJ. Once adopted, our Human Resources Coordinator Melissa Hammond will communicate with eligible Employees to provide information and instructions related to this additional available benefit.

- **Resolution No. 24-67** Adding a Roth IRA option to our DCRP Program through Empower as instructed by the State of NJ

Motion was made by Mr. S. Flancbaum and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

Mrs. Fish arrived and was seated in place of Mr. S. Flancbaum.

3. Resolution accepting the 2023 Audit

We have a resolution today to approve the 2023 Financial Audit Report, a copy of which was included in your Board Packet. I yield the floor to our Auditor, Skip Bauer from Mohel Elliott Bauer & Gass.

Mr. Bauer began by thanking Mr. J. Flancbaum and Mr. Sondak and their staff for being a great help for this audit. He explained that it was a very involved audit due to having the grant from the Township.

He told the Board there are certain items that he needs to go over since they will be attesting to the audit and signing the resolution.

He then went on to describe each of 3 specific sections of the audit ensuring the Board had no questions. He went on to give an update on the capital improvements for the year, the Grant received, the new health care and the debt service.

Mr. Bauer also informed the Board that this year we need to report to the Clearing House due to the grant of funds from the Township. If over \$750,000 in Federal Grant Funds have been spent then we have to do a single audit for these funds.

No questions were asked from the Board.

- **Resolution No. 24-68** Accepting the 2023 Audit

Motion was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all members voted **“Yes”**. **Motion** carried.

4. **Motion to Approve the Operating List**

The Operating Expense List in your Board Packets is \$2,600,969.19. While there are no unexpected items to discuss, the list does include \$648,900.00 for the OCUA 3Q payment and \$1,266,358.86 of Construction Costs of which \$715,326.50 is for the GAC buildings, \$271,162.44 is for Well #2 and \$149,969.40 for Well #22. I recommend that the board approve the Operating Expense List of \$2,600,969.19, with noted abstentions.

Motion made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all seated members voted **“Yes.”** **Motion** carried.

VII. **Engineer’s Report**

Given by Mr. Adam Ponsi, P.E. and Mr. Colin Farrell, CEng MIEI Director of Engineering

1. **1930 Swarthmore Avenue Building Addition**

Owner/Developer: Gerard Vitillo

The following are the site specific terms for the Developer’s Agreement for the 1930 Swarthmore Avenue Building Addition project:

- The Developer agrees to pay \$25,000 as a fair share contribution towards improvements to the Authority’s existing sanitary sewer system in order to increase the system’s capacity for the benefit of the development.

At this time the Authority may accept the terms of the Developer’s Agreement as indicated in Schedule ‘B’.

- **Resolution No. 24-69** Authorizing the Execution of a Developer’s Agreement for 1930 Swarthmore Avenue Building Addition

Motion was made by Mayor and seconded by Mrs. Fish. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

2. **1121 Ocean Avenue 3rd Building**

Owner/Developer: Forestate US, LTD – Leonard Forestier & Ron Smolskis

At this time the Authority may accept the terms of the Developer’s Agreement for the 1121 Ocean Avenue 3rd Building Development. There are no site specific terms for this agreement.

- **Resolution No. 24-70** Authorizing the Execution of a Developer’s Agreement for 1121 Ocean Avenue 3rd Building

Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

3. **Woodlake Greens Sewer Upgrades Concept Plan & Cost Analysis**

July 23, 2024 PS&S issued a report providing a conceptual plan design with cost estimates for improvements to the Authority’s sanitary sewer system from Joe Parker Road to the connection to the OCUA main within the Woodlake Greens development to accommodate the future sewer connections indicated in the Authority’s adopted sanitary sewer master plan from properties along and north of Joe Parker Road.

At this time the Authority may adopt the PS&S report entitled “Woodlake Greens Sewer Upgrade Engineering Design Report” dated July 23, 2024 for the purposes of collecting fair share contributions for all developments that will ultimately

benefit from the proposed improvements as indicated in the PS&S report. For a development to benefit from the proposed improvements they must connect in the location of the proposed improvements or connect upstream of the location of the proposed improvements. The amount of the fair share contribution an individual developer will be required to pay will be calculated by the Authority Engineer using the information provided in the developer's engineer's report and the information provided in the PS&S report.

- **Resolution No. 24-71** Adopting Report for Future Fair Share Contributions for Woodlake Greens Sewer Upgrades concept Plan and Cost Analysis

Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

4. **Bids for Chemicals and Cold Water Meters for Calendar Years 2025-2026**

- At this time the Authority may authorize the issuance of the notice to bidders for the purchase of chemicals and cold water meters for the calendar years 2025-2026.

- **Motion** Authorizing Notice To Bidders for Chemicals and Cold Water Meters

Motion was made by Mr. S. Flancbaum and seconded by Mrs. Fish. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

5. **Drexel Avenue Easement**

July 23, 2024 the Authority received a proposal from Morgan Municipal to perform surveying work and easement documents for a proposed Authority easement within the Drexel Avenue Right-of-Way in the cost Not to Exceed Amount of \$19,200.00.

At this time the Authority may award a professional services contract to Morgan Municipal to perform surveying work and the creation of easement documents

for a proposed Authority easement within the Drexel Avenue Right-of-Way in the cost Not to Exceed amount of \$19,200.00.

- **Resolution No. 24-72** Awarding Professional Services Contract for Drexel Avenue Easement

Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

6. **Well 2 Replacement Design and Construction (Well Shed Contract)**

July 16, 2024 the Authority received two (2) proposals for the for the well house construction for the Well 2 Replacement Design and Construction project. Proposals received ranged from \$43,865.00 to \$44,000.00. The two (2) apparent lowest proposals are:

- Gavan General Contracting, Inc. \$43,865.00
- Sovereign Consulting, Inc \$44,000.00

At this time the Authority may award the contract to the lowest proposal, Gavan General Contracting Inc, for the well house construction for the Well 2 Replacement Design and Construction project conditioned on the review and recommendations of the Authority Attorney and Remington & Vernick Engineers in the amount of \$43,865.00.

- **Resolution No. 24-73 Awarding Contract for Well 2 Replacement Design and Construction (Well Shed Construction)**

Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

7. **Pine Street Construction of Production Wells (Well Shed Contract)**

August 2, 2024 the Authority received change order request #1 from William Stothoff Company for the construction of Well Sheds at Wells 20 and 21 in the amount of \$103,836.00.

At this time the Authority may award change order #1 to William Stothoff Company for the construction of the Well Sheds at Wells 20 and 21 in the amount of \$103,836.00.

- **Resolution No. 24-74** Awarding Contract for Pine Street Construction of Production Wells (Well Shed Contract)

Motion was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

8. **Declaring an Emergency at Well 17**

As you are aware, August 4, 2024 at 7:03 AM, the pump/motor at Well 17 failed likely due to lightning strike at the well. Well 17 is critical for the Authority’s summer production in order to meet peak demands as well as necessary for the Authority’s winter recharge as it is only one of the Authority’s two recharge wells in our system. It is essential for Well 17 to be operational as soon as possible and to perform all required repair work immediately. At this time I feel that, in my professional opinion, the current condition presents a clear and present danger to health and safety of the public. It is my professional opinion that this constitutes an emergency condition and the Authority should immediately contract to have the Well 17 repair work completed.

Senator Singer commented that he thought we had detection. Mr. Farina responded that we do but with the submersible pump we currently have, its very susceptible to any kind of lightening strike. We are mitigating this right now with some modifications and we are going to turn it into a vertical turbine pumping system. Hopefully, this will not be a problem going forward. Mr. Flancbaum added that we will also file an insurance claim with the JIF and we have had success with lightning strike claims in the past.

- **Resolution No. 24-75** Declaring an Emergency at Well 17

Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Motion** carried.

VIII. Attorney's Report given by Mr. Adam Pfeffer, Esq.

Business as usual

IX. Executive Director's Report

Given by Mr. J. Flancbaum, Executive Director

1. 2024 Tax Sale Update

We were notified by the Tax Collector that the Tax Sale for this year is scheduled for September 25th. On July 3rd we ran our first report and had 695 properties that were delinquent as of the end of 2023 for a total of just over \$428,000. As of the end of the day yesterday, we collected approximately \$127,000 already and we are down to 472 properties for a total balance of just about \$300,000. We are looking forward to another successful collaboration with the Tax Collectors Office so we can collect this outstanding balance in full like we do every year. These funds are critical to ensuring our continuity of daily operations

Committeeman Lichtenstein asked if we generated a list of schools to be notified? We spoke about this last year too. Some of these schools don't even realize they owe money. Mr. Pfeffer added that same as last year, we will contact Effie, the Tax Collector and resolve this. The notices are just starting to go our now. Senator Singer responded by saying that if you look at the Tax Sale list each year, many of them are the same each year. The claim of I didn't know isn't correct if they went to Tax Sale last year. Mr. Pfeffer also said that we collect most of our money prior to the sale so the actual amount that goes to sale is minimal.

Senator Singer asked for an update on the transfer of land on Shorrocks St. for the solar project. Mr. Pfeffer said he has been in contact with Steve Secare, the Township attorney, and he indicated it will be discussed. We were talking about that we don't think we need the entire parcel.

X. Technical Operations Report

Given by Mr. Bob Farina, Operations Supervisor

Operations Dept:

1. Hydrant flushing is continuing to move forward with no additional reports of any out of the ordinary dirty water being observed.
2. We have hired two additional Field Technician representatives, along with the one applicant that was hired last month, fills all three available open postings.

Technical Operations Dept.:

3. All SACDA and Communications equipment are up and running fine.
4. The Fire and security system install for phase one is complete and Phase 2 has started.
5. The new outdoor sign was installed on July 29th and was setup on August 1st.
6. The remaining security cameras on the Administration Bldg. were installed on July 31 through Aug 2nd.

IT Dept:

7. IT ensured that all fire and security passwords were ported over to the new vendor to insure seamless monitoring.
8. Completed training on the outdoor sign messaging configuration.
9. The new IT outside contractor has taken over the duties of the old one and Leon has both companies transferring all MUA passwords, codes and other assets over to the new contractor.
10. IT has obtained the licensing for the camera project and will be adapting it to the camera software so recordings can be accessed and manipulated by MUA IT personnel.

GIS/Cyber-Security Dept:

GIS:

11. We began collecting and assigning asset tags to the first wave of MUA Operations assets, beginning with the vehicles.
12. Finalized the Developers Applications on-line data capture so that the Authority may provide clear costing information to said applicants.

Cyber-Security:

13. We received our hardware based digital keys from the NJCCIC that will be used by all water treatment plant operators to access the Authority's SCADA system with an increased level of security control.

14. Paperwork for the CrowdStrike portion of the Authority's security protocols have been submitted to the NJCCIC and the Authority is now officially a client of the cybersecurity provider and has been receiving information, updates and alerts.

XI. Commissioners' Report

Senator Singer shared with the Board that he and Mr. J. Flancbaum reached out to the local High School and spoke with the superintendent and made her aware of the openings we have here. We did this in early June. We asked for basic requirements, drivers license, able to read and write and speak English. They sent us 4 applicants- the first one interviewed and the others never showed up or called back.

I'm very disappointed with that. This is not acceptable to do business like this. It's a great opportunity for local young people and I'm shocked. With the salary and the benefits we offer I'm amazed we couldn't find people.

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

Motion was made by Mayor Coles and seconded by Mr. S. Flancbaum. The meeting was adjourned at 10:35 AM.

Respectfully submitted,

Robyn Gray,

Secretary, LTMUA