



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

July 9, 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: 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., Mr. Bob Farina, Director of Operations, and Mr. Harry Robbins, Operations Manager
- V. Minutes**
Motion to approve the minutes of the Regular Monthly Meeting held on June 4, 2024 was made by Committeeman Lichtenstein and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted **“Yes.” Motion carried.**

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

390 NEW HAMPSHIRE AVENUE, LAKEWOOD, NEW JERSEY 08701

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VI. Chief Financial Officer Report

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

1. Motion to Approve the Operating List

The Operating Expense List in your Board Packets is \$1,487,262.59. While there are no unexpected items to discuss, the list does include \$715,730.13 for Construction Costs of which \$318,500.00 is for the GAC buildings, \$127,008.00 is for Pine Street Wells and \$120,459.15 for Well #22. I recommend that the board approve the Operating Expense List of \$1,487,262.59, with noted abstentions.

Motion made by Mr. S. Flancbaum and seconded by Committeeman Lichtenstein. 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. Route 88 & Boulder Way 4 Townhome Development

Owner/Developer: Duvie Holdings, LLC – Marcel Gestetner

June 2024 a Developer’s Agreement was drafted. There are no site specific terms to the Developer’s Agreement.

At this time the Authority may accept the terms of the Developer’s Agreement.

- **Resolution No. 24-51** Authorizing the Execution of a Developer’s Agreement for Route 88 & Boulder Way 4 Townhome Development

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

2. 400 Route 70 New Office Building

Owner/Developer: Chestnut 70 Realty, LLC – Eliezer Friedman & GC: Nexgen Builders – Jake Jacobovitch

June 2024 a Developer’s Agreement was drafted. There are no site specific terms to the Developer’s Agreement.

At this time the Authority may accept the terms of the Developer’s Agreement.

- **Resolution No. 24-52** Authorizing the Execution of a Developer’s Agreement for 400 Route 70 New Office Building

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

3. Ocean Park Village Homes Pinehurst Drive

- **Resolution No. 24-53** Authorizing the Execution of a Developer’s Agreement for

June 2024 a Developer’s Agreement was drafted. The following are the site specific terms for the Developer’s Agreement for the Ocean Park Village Homes Pinehurst Drive project:

- The Developer agrees to pay \$3,000.00 as a fair share contribution towards a study for 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 described in Schedule ‘B’.

Senator Singer asked how we came up with the \$3,000 payment. Mr. Ponsi explained that they are only connecting to the very last section, and it’s an estimate as best as we can give. The whole study cost about \$40,000 and each developer pays a portion for their fair share.

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

4. **Avenue of the States Spire #1**

Owner/Developer: Spire One QOZB, LLC – Mark Chopp

- **Resolution No. 24-54** Authorizing the Execution of a Developer’s Agreement for Avenue of the States Spire #1

June 2024 a Developer’s Agreement was drafted. The following are the site specific terms for the Developer’s Agreement for the project:

- The Authority and Developer agree connection fees will be charged based on the equivalent usage report submitted by the Developer.
- The Developer agrees to enter into a monitoring agreement where the usage for the building will be monitored for a period of 5 years.
- If the usage of the building exceeds the amount as noted in the monitoring agreement the Developer agrees to pay the overage in connection fees at the Authority’s connection fee rate at the conclusion of the monitoring period. The Authority will not reimburse the Developer if they use less than what was estimated.
- Connection Fees must be paid prior to installation of the meter.

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

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

5. **Avenue of the States Spire #2**

Owner/Developer: Spire Two QOZB, LLC – Mark Chopp

June 2024 a Developer’s Agreement was drafted. The following are the site specific terms for the Developer’s Agreement for the project:

- The Authority and Developer agree connection fees will be charged based on the equivalent usage report submitted by the Developer.
- The Developer agrees to enter into a monitoring agreement where the usage for the building will be monitored for a period of 5 years.
- If the usage of the building exceeds the amount as noted in the monitoring agreement the Developer agrees to pay the overage in connection fees at the Authority’s connection fee rate at the conclusion of the monitoring period. The Authority will not reimburse the Developer if they use less than what was estimated.
- Connection Fees must be paid prior to installation of the meter.

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

- **Resolution No. 24-55** Authorizing the Execution of a Developer’s Agreement for Avenue of the States Spire #2

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

6. **Avenue of the States Retail & Office**

Owner/Developer: Ave of the States Office, LLC & AOTSR, LLC – Yosef Michael & Aaron Mueller

- **Resolution No. 24-56** Releasing Performance Guarantees for Avenue of the States Retail & Office

June 2024 the Applicant requested a new performance guarantee release letter removing the condition of providing a maintenance guarantee as it has been more than two years since the project has been completed.

June 27, 2024 GTS Consultants issued a punch list letter detailing the construction items remaining on the project.

July 2, 2024 the Authority issued a letter detailing the items required for performance guarantee release.

At this time the Authority may release the performance guarantees for the Avenue of the States Retail & Office project conditioned on the Authority’s letter dated July 2, 2024.

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

7. **Hilton Garden Inn Hotel Expansion**

Owner/Developer: Parkway Lodging Realty, LLC – Francine Tajfel

At this time the Authority may authorize the Executive Director to endorse applications for the Hilton Garden Inn Hotel Expansion project. OCUA approval is required due to the proposed development generating over 2,000 gpd of sanitary sewer flow.

- **Resolution No. 24-57** Authorizing Executive Director to Endorse Applications for Hilton Garden Inn Hotel Expansion

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

8. **Pine Street and Sims Avenue School**

Owner/Developer: Beer Mordechai, Inc – Herman Vorhand & Rabbi Shaya Weisel

At this time the Authority may authorize the Executive Director to endorse applications for the Pine Street and Sims Avenue School project. OCUA approval is required due to the proposed development generating over 2,000 gpd of sanitary sewer flow.

- **Resolution No. 24-58** Authorizing Executive Director to Endorse Applications for Pine Street & Sims Avenue School

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

9. **Hatzolah Cedar Bridge Avenue**

Owner/Developer: Hatzolah Emergency Medical Services, Inc – Motty Twerski & GC: Neka Solutions – Nechama Morgan

July 3, 2024 GTS Consultants issued conceptual/technical review #2.

At this time the Authority may grant conceptual and technical approval for the Hatzolah Cedar Bridge Avenue project conditioned on the GTS Consultants letter dated July 3, 2024.

- **Resolution No. 24-59** Granting Conceptual and Technical Approval (Sewer Only)
Motion was made by Mr. S. Flancbaum and seconded by Senator Singer. On **roll call**, Committeeman Lichtenstein abstained, all other seated members voted “**Yes**”. **Motion** carried.

10. **Oak Street & Marlin Avenue School**

Owner/Developer: Yeshiva Yaaros Devash, Inc – Shabsi Brody & GC: Builders Supreme – Nathan Neuwman

June 6, 2024 GTS Consultants issued conceptual and technical review #1.

At this time the Authority may grant conceptual and technical approval for the Oak Street and Marlin Avenue School project conditioned on the GTS Consultants letter dated June 6, 2024.

- **Resolution No. 24-60** Granting Conceptual and Technical Approval (Sewer Only)

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

11. New Hampshire WTP Boiler Replacement

At this time the Authority may authorize the notice to bidders for the New Hampshire Water Treatment Plant Boiler Replacement project.

- **Motion** Authorizing Notice to Bidders for New Hampshire Avenue WTP Boiler Replacement

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

12. Well 17 Inspection

July 2, 2024 the Authority received 2 proposals for the for the removal of the well 17 pump, TV inspection, and reinstallation of the pump. Proposals received ranged from \$24,900.00 to \$30,287.00. The apparent lowest proposals are:

- | | |
|----------------------|-------------|
| 1. Uni-Tech Drilling | \$24,900.00 |
| 2. AC Schultes | \$30,287.00 |

At this time the Authority may award a contract to Uni-Tech Drilling for the Well 17 Inspection project in the amount of \$24,900.00.

- **Resolution No. 24-61** Awarding Contract for Well 17 Inspection

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

13. Vassar Avenue to OCUA Sewer System Upgrades

July 1, 2024 the Authority received a proposal from CME Associates for engineering services including surveying, design, soil borings and existing sanitary sewer system metering for the sanitary sewer system upgrades from Vassar Avenue to the connection to the OCUA main in the cost not to exceed amount of \$148,899.00. The Authority’s fair share contributions collected to date are intended to cover the engineering costs related to the sewer system upgrades.

At this time the Authority may award a professional services contract to CME Associates for the engineering services for the sanitary sewer system upgrades from Vassar Avenue to the connection to the OCUA main in the cost not to exceed amount of \$148,899.00.

- **Resolution No. 24-62** Awarding Professional Services Contract for Vassar Avenue to OCUA Sewer System Upgrades

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

14. Shorrock Street Backup Well

July 3, 2024 the Authority received a proposal from Sovereign Consulting, Inc. for the well house building construction in the lump sum amount of \$44,000.00.

At this time the Authority may award Change Order #1 to Sovereign Consulting, Inc for the well house building construction in the lump sum amount of \$44,000.00.

- **Resolution No. 24-63** Awarding Change Order #1 for Shorrocks Street Backup Well

Motion was made by Mr. S. Flancbaum and seconded by Committeeman Lichtenstein, 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. Resolution authorizing the procurement of electricity through a reverse auction

Mr. J. Flancbaum reported that last month we authorized a reverse auction for power at our NH Ave facility only as our energy consultant felt that we would not achieve favorable pricing for the rest of our facilities. However, now they feel that we should go to auction for the other facilities.

This resolution will authorize the auction and will authorize us to execute an agreement with the low bidder based on the recommendation of our energy consultant.

- **Resolution No. 24-64** Authorizing the procurement of electricity through a reverse auction

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

2. Resolution awarding contract for Managed IT Services

We have not been satisfied this year with the level of service and overall performance of our current IT consultant.

Over the past several months we have vetted several different companies and we would like to engage Ocean Computer Group on a trial basis through the end of the year. They service many public sector entities and are familiar with what we do and the importance of maintaining critical infrastructure.

Their price is \$2,470 per month. We will pay them monthly and if the relationship works we would look to set up a 12 month contract in January 2025.

- **Resolution No. 24-65** Awarding Contract for Managed IT Services

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

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 a Field technician representative

Technical Operations Dept.:

3. All SACDA and Communications equipment are up and running fine.
4. The fire and security equipment replacement job are moving forward at a very acceptable pace.
5. We met with our security camera vendor to continue with camera purchasing and installations. This current effort is to complete installations for the administration building and its associated area's.

IT Dept:

6. On June 24th our SCADA contractor and IT outside support were on site to address the server changeover.
7. The new outside information sign is on order and we expect to have it installed and up and running by months end.

GIS/Cyber-Security Dept:

GIS:

8. Tamper and environment proof bar coding labels have been placed on order.
9. Preparing Lead Service Line submittal.

Cyber-Security:

10. CyberJIF paperwork has been submitted.
11. Safe Drinking Water Community Grant paperwork has been submitted.

XI. Commissioners' Report

Committeeman Lichtenstein suggested we make sure to take a couple of extra months in the change over of Managed IT Services to ensure we get all our data.

Committeeman Lichtenstein asked how the flushing is going. Mr. J. Flancbaum responded that it is going well so far. Senator Singer added that Friday's seem to be the problem with the brown water complaints as everyone is preparing for Shabbos with showering and washing and cooking all at the same time. He also informed the Board that additional studies are being done to determine what more we need to do, we are on top of it.

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

Motion was made by Committeeman Lichtenstein and seconded by Mr. S. Flancbaum. The meeting was adjourned at 10:29 AM.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA