



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 6, 2022

- I. Senator Singer opened the meeting at 10:00 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 March 4, 2022 and The Tri Town News on March 9, 2022.

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. Gerwin Bauer, Auditor, Mr. Justin Flancbaum, Executive Director, Mr. Donald Sondak, CFO, Mr. Bob Farina, Director of Operations, Mr. Harry Robbins, Operations Manager, Mr. Colin Farrell, CEng MIEI Director of Engineering and Mr. Adam Ponsi, P.E., Authority Engineer

Senator Singer seated Mr. S. Flancbaum and Committeeman Lichtenstein.

V. Minutes

A **motion** to approve the minutes of the Regular Meeting Minutes held on June 6, 2022, was made by Committeeman Lichtenstein and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted “Aye.” **Motion carried.**

VI. Chief Financial Officer Report

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

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

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1. Operating Voucher

The Operating Voucher in the Board Packet is \$588,187.87. Mr. Sondak reported that there are no out-of-the-ordinary monthly items to note so he recommended that the Board approve the Operating Voucher, at \$588,187.87 with noted abstentions.

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

VII. Engineer’s Report

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

1. Golders Green Road Subdivision (*Sweet Salem, LLC-Mordechai Eichorn*)

Mr. Ponsi stated that on May 31, 2022 the Authority received a request to reduce the performance guarantees for this project. On July 1, 2022 the Authority issued a letter detailing the amounts the performance guarantees may be reduced. At this time the Authority may reduce the performance guarantees in the amounts as listed in the Authority’s letter dated July 1, 2022.

- **Resolution No. 22-56 Reducing Performance Guarantees Golders Green Road Subdivision**
Motion was made by Committeeman Lichtenstein and seconded Mr. S. Flancbaum. **On roll call, all seated members voted “Yes”. Adopted.**

2. OLV & LVE Irrigation Metering

Mr. Farrell reported that at this time the Authority may authorize the Notice To Bidders for Cold Water Meters for the OLV & LVE Irrigation Metering Project.

Mr. J. Flancbaum stated we are going to purchase the meters separately, so this is just for the meters right now. We want to get ahead of it since its taking a long time to get the meters.

Senator Singer explained prior to the formation of the Authority, Leisure Technologies, the developer of the Leisure Village and Leisure Village East owned the water and sewer company. It was then given to the Township and the Authority was formed. The irrigation was never metered separately and the DEP believes we are losing water there. We have done extensive testing to determine we are not but they still believe and want separate meters. It’s a huge project and multiple meters are necessary. DEP conditioned our new allocation permit on us installing these meters.

Committeeman Lichtenstein asked if we get paid for the water currently.

Mr. J. Flancbaum and Senator Singer both said we do get paid, we have always gotten paid for it.

Senator Singer continued saying it was always estimated and now we are going to actually be reading. The problem for us is the cost of this is over a million dollars and that's why we haven't done it in the past.

This is tied to our well issue with the DEP as an agreement and also thanks to the Township for helping us with some of these projects.

- **Motion Authorizing Notice To Bidders**

Motion was made by Mr. S. Flancbaum and seconded by Committeeman Lichtenstein . On **voice vote**, all seated members voted “Aye”. **Adopted**.

3. Pine Street Construction of Production Wells

Mr. Farrell stated there are two resolutions; the first is Change Order No. 3 from T&M Associates to close out the contract from 2015 for a credit of \$67,090.14. The Authority may award Change Order No. 3 for a credit of \$67,090.14 at this time.

- **Resolution No. 22-57** Awarding Change Order No. 3 (Credit to Close Out Original Contract from 2015)

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

Senator Singer informed the board these are the 2 wells we were in dispute with the DEP over and they have now granted permission. We spent a lot of money bringing the piping back to the treatment plant. We spent a couple of hundred dollars already. Now we are allowed to build the wells.

The second resolution is a professional services contract for bidding, permitting, construction administration, construction observation, and preparation of As-Built plans.

- **Resolution No. 22-58** Awarding Professional Services Contract

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

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

Business as usual.

Mr. Bauer reported that everything is going great. The audit is on hold, we are waiting for the state to do the actuarial report for the pension.

IX. Executive Director's Report

Given by Mr. J. Flancbaum, Executive Director

1. 2022 Tax Sale

Mr. J. Flancbaum reported the Authority will be going to Tax Sale this year since the State of NJ lifted the moratorium on enforcement of liens for unpaid water & sewer charges as of

March 15, 2022. Due to the moratorium we did not include our unpaid charges in the municipal tax sale last year.

As of March 15, 2022 we had approximately \$666,000 worth of unpaid charges dating back to 2020 because we weren't allowed to go to Tax Sale last year.

Towards the end of March, per Local Finance Notice 2022-11, we sent letters to 1,627 residential accounts advising them of unpaid charges between March 9, 2020 and March 15, 2022 giving them the option to pay their balances through a payment plan.

The law states that customers had 30 days to agree to a payment plan. After that time the utility is able to enforce payment of arrearages. Further, if a customer fails to pay their arrearages or current charges within 30 days after the due date, the payment plan is void and the utility is able to enforce payment of that balance as well.

Of the 1,627 accounts that were notified 123 signed up for payment plans, however, 32 have defaulted to date.

So far we have collected \$365,000 out of the \$666,000 of arrearages we had when we sent the letters both from customers that paid their balances in full or from payment plan payments.

Any residential customers currently on payment plans or any customers that have signed up for assistance through the State of NJ will not be included in this year's tax sale. We will include, however, all other unpaid residential and commercial charges as of December 31, 2021. The Tax Sale is scheduled for October 7, 2022.

Committeeman Lichtenstein discussed the mailing addresses on commercial accounts, non-profits or LLC's are very often wrong and they don't even know they are missing mail. He asked if he could look at the list.

Senator Singer said that isn't what we are seeing. The letters do go to the property and about 85% of the people pay before the Tax Sale and it's mostly residential. Mr. J. Flancbaum added the number that actually goes to Tax Sale is significantly less than the number we start with. Senator Singer continued saying our customers have gotten this hiatus for 2 years of not paying any penalties. The penalties and interest just started back in March 2022 so basically, they have saved a lot of money. \$350,000 for an Authority this size isn't too bad and we will collect about 80% before the Tax Sale so we will go to Tax Sale for about \$100,000. As it gets closer to October 7, 2022, we will contact Committeeman Lichtenstein and he can take a look at the list. We don't like going to Tax Sale but we need to have the money as our budget is based on that.

2. Lead & Copper Testing

Mr. J. Flancbaum reported the EPA & DEP mandate that we conduct lead and copper tests in certain residences every 3 years. 2022 is our year to test and we did so last month. Traces of lead can appear in samples due to lead solder on pipes inside of the homes. Samples are taken from taps of residences built when lead solder was being phased out for interior plumbing pipes.

Of the 30 sites that were sampled all lead results, with the exception of 1, came back as non-detect, however even that 1 was below the Maximum contaminant level. Also, all copper results were below the MCL. Residents are all notified of their results.

Senator Singer asks Mr. Flancbaum where we stand on non-reporting meters. Mr. J. Flancbaum said we have repaired and/or replaced close to 100 now. As the billing cycles come up, more meters pop up so we have about 175 left. Senator Singer told Mr. Flancbaum to make this a priority as we should be anywhere from 30-50 now. Mr. J. Flancbaum agreed and explained that it was due to Covid and not going into people's homes for a period of time.

X. Technical Operations Report

Given by Mr. Bob Farina, Director of Operations

Operations Dept:

1. Our sewer line and manhole repair on Huntington Drive in OLV is in progress and is expected to be finished by mid-month. This rehab versus replacement project has saved the Authority well over \$100,000.
2. Our new vehicles are now completely outfitted and are on the road in service.
3. We are currently working on an effort to correct ASR well #17's decreased production that has been worsening over the years. We have identified that there is some form of buildup causing a blockage at the gravel pack level located at the very bottom of the well which is greater than 1600 feet in depth and are working with a vendor that is currently taking samples to identify the substance of the blockage to recommend a chemical agent that will attack and get rid of said blockage. This will cost about 200-250,000 dollars hardware and will be done gradually.

Technical Operations Dept:

4. All SCADA and Communications systems are up and running well.
5. We attended a vendor seminar for us to get an understanding of our current PLC hardware equipment since we are approaching the timeline where the equipment will no longer be manufactured and supported and ultimately will be at the end of its useful life. We were assured by Emerson who acquired GE, that we will have a solid 5-7 years before that comes to fruition thus giving us more than adequate time to begin the equipment upgrading process.

IT Dept:

6. Our replacement TGB unit has shipped and once received by our vendor it will be promptly installed. This is the base unit that enables the Authority's remote meter reading.
7. All our smart backup power supplies are now installed at our communication system trunk locations that will now alert Operations to impending and actual power issues at those locations.
8. All hardware for the SCADA server upgrade is on order.
9. Now that the fiber optic and ethernet cables are installed in the VSB, we are now awaiting hardware to arrive so that we can upgrade the card key access system there.

GIS/Cyber-Security Dept:

GIS:

10. We are in receipt of the NJ State Contract quote for the ArcGIS Enterprise Deployment Jumpstart Package, and we are in the process of moving forward with its acquirement.
11. Completed the Edmunds System data extraction for the Billing Dept.'s data review.
12. Provided the updated Block and Lot listing to Billing Dept.
13. The WQAA Capital Improvement Plan documentation has been submitted.

Cyber-Security:

14. Employee training is planned for mid-July.
15. Monitoring for the WQAA Cybersecurity Plan submittal requirements.

Mr. Robbins reported that we are still flushing; there are 7 phases, and we are in phase 5 currently. It's taking a little longer this year due to training new field representatives on how to properly do the flushing.

XI. Commissioners' Report

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

A motion was made by, Mrs. Fish seconded by Mr. S. Flancbaum to adjourn meeting. On voice vote, all members present voted, "Aye". The meeting was adjourned at 10:19 A.M.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA