



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

January 4, 2023

- 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: Mrs. Fish, 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. 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.
 - V. **Minutes**
A **motion** to approve the minutes of the Regular Meeting Minutes held on December 6, 2022, was made by Mr. Theibault seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes.” Motion carried.**
 - VI. **Chief Financial Officer Report**
Given by Mr. Donald Sondak, CFO/Human Resources Director
1. **Resolution Adopting 2022 Budget**

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

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Mr. Sondak reported at the December 6, 2022 Board Meeting, Resolution No. 22-96 was passed which approved the 2022-2023 Budget. With that approval, the budget was sent to the DCA for review and approval. The DCA has approved our submission and are withholding final approval until our Board's Adoption of the budget through Resolution. Once completed, the adopted budget will be sent to DCA for final approval sign off.

Mr. Sondak thanked Skip Bauer for his assistance during the preparation of the annual budget. He recommended that the Board approve Resolution No. 23-01 to adopt the 2022-2023 Authority Budget and permit the adopted budget's submission to the DCA for final approval sign off.

Resolution No. 23-01 Adopting the Authority Budget 2022-2023

Motion was made by Mayor Coles and seconded by Mr. Theibault. On **roll call**, all seated members voted **"Yes."** **Adopted.**

2. Motion To Approve Operating Expenses

The Operating Voucher in your Board Packets is \$864,977.23. There are no out-of-the-ordinary monthly issues to note, however the Operating Voucher is amended for one Levin Shea Pfeffer & Goldman PA invoice in the amount of \$3,325.00. This brings the amended Operating Voucher total to \$868,302.23. Mr. Sondak recommended that the board approve the Operating Voucher of \$868,302.23, with noted abstentions.

Motion was made by Mr. Theibault and seconded by Mayor Coles. On **roll call**, all seated members voted **"Yes."** **Adopted.**

3. Resolution Accepting 2021 Audit

A meeting was held on November 2, 2022 with the Authority's Budget & Finance Committee and Accounting Firm. Both the Operating Budget and the Capital Budget were reviewed at that time. The Operating Budget for Revenue last year was \$12.7 million, and for this year it is \$13.0 million. The Operating Budget for Appropriations last year was \$11.8 million, and for this year is \$12.5 million. The Capital Budget for last year was \$27.6 million, and for this year is \$33.2 million. The Capital Program budgeted expenditures for this year are \$20.7 million funded by: \$10.3 million - Unrestricted Funds; \$7.0 million – iBank; \$3.4 million – America Recovery Plan via Lakewood Township.

A resolution is required to approve sending the 2022-2023 Authority Budget to the State for review and approval. The next steps are the NJ Department of Community Affairs (DCA) will review the budget and we will address any questions that they may have. Once we received DCA approval, we will return to this board and propose a Resolution to adopt the budget as final. We anticipate that to happen in time for the January 4th 2023 Board meeting.

At this time Mr. Sondak recommend that the Board approve Resolution 22-96 to send the 2022-2023 Authority Budget to the DCA for its review.

Mr. Bauer reported that he has seen tremendous growth in the administrative accounting systems under Mr. Sondak and his new team. The first area he updated the Board on was the unmodified opinion of the Audit Report. The Authority received the highest opinion that can be given to an audit client. They were very pleased with the material and presentation.

Second area is the report for government auditing standards and since the Board will be signing as a group Mr. Bauer highlighted a few positives.

- There are no deficiencies in the internal control that is considered to be a material weakness in the organization.
- There are no instances of non-compliance identified.
- Our cash and investments did increase about \$12 million this year and this will be helpful going forward with our construction progress.

Resolution No. 23-02 Accepting 2021 Audit

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

VII. Engineer’s Report

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

1. **Ridge Avenue School No. 5** (*Owner/Developer: Pri Aharon, Inc.-Martin Werner GM: Regency Development-Abe Auerbach*)

Mr. Ponsi reported on January 3, 2023, the Authority issued a letter indicating the conditions for the maintenance guarantees to be released. At this time, the Authority may release the maintenance guarantees as conditioned on the Authority’s letter of January 3, 2023.

- **Resolution No. 23-03** Releasing Maintenance Guarantees Ridge Avenue School No. 5
Motion was made by Mayor Coles and seconded by Committeeman Lichtenstein. On **roll call**, Mr. Theibault abstained, all other seated members voted “Yes”. **Adopted.**

2. **Lakewood Township Office Building** (*Owner: Township of Lakewood-Pat Donnelly*)

There are site specific term for the Developer’s Agreement for this project:

- The Authority permits the Township to perform construction activities and install retaining walls within the Authority’s existing sanitary sewer easement.
- The Township acknowledges the Authority may require the removal of some or all of the retaining walls installed within the Authority’s easement for the Authority to perform repairs, maintenance or upgrades to the Authority’s sanitary sewer system within the easement. The Township agrees to be responsible for all financial costs related to removing, replacing, repairing, and maintaining the retaining walls installed within the Authority Easement including at times necessary for the Authority to perform repairs, maintenance or upgrades to the Authority’s sanitary sewer system located within the easement.
- The Township agrees to provide the Authority an easement for the Authority’s existing water main located on the property which was formerly located within a paper street.

At this time the Authority may accept the terms of the Developer’s Agreement as described in Schedule “B”.

- **Resolution 23-04** Approving Terms of Developers Agreement Lakewood Township Office Building
Motion was made by Mr. Theibault and seconded by Mayor Coles. On **roll call**, Mayor Coles abstained, all other seated members voted “**Yes**”. **Adopted.**

3. **RFQ’s for Engineering Services for Calendar Year 2023**

Mr. Farrell reported December 28, 2022 the Authority received submissions from 19 firms. The firms submitting qualifications are Suburban Consulting Engineers, CME Associates, T&M Associates, GTS Consultants, Owen, Little & Associates, Colliers, Remington Vernick & Vena Engineers, Grant Engineering, H2M Architects & Engineers, Morgan Engineering, Van Cleef Engineering Associates, Boro Engineering, FPA, Alaimo Group, On Board Engineering, Paulus, Sokolowski & Sartor, LLC, ARH Engineering, Keystone Engineering & Matrix New World. At this time the Authority may accept the qualifications of all companies conditioned on the Authority Director of Engineering and the Authority Attorney reviews of the qualifications.

- **Resolution No. 23-05** Accepting Qualifications RFQ’s Engineering Services 2023
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, and all seated members voted “**Yes**”. **Adopted.**

4. **As-Built Drawings for Residential Applications 2023**

Mr. Farrell reported November 3, 2022 the Authority received a proposal from GTS Consultants to provide As-Built drawings for individual residential dwellings on a per unit basis for the calendar year 2022 in the amount of \$1,262.00 including inspection work or \$842.00 excluding the inspection work (assuming inspection will be provided by another company). The cost will provide individual as built for the site and update the GIS mapping to include the location of the water and sewer utilities. The total cost is a \$6.00 (0.7%) increase (without inspections) compared to the 2022 contract.

At this time the Authority may award a Professional Services Contract to GTS Consultants to provide As-builts and update GIS mapping for individual residential applications at a per unit cost of \$1,262.00 including inspection services and \$842.00 excluding inspection services.

- **Resolution No. 23-06** Awarding Professional Services Contract As-Built Drawings Residential Applications 2023
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted “**Yes**”. **Adopted.**

5. **Regulatory Compliance Assistance 2023**

Mr. Farrell reported on November 29, 2022 the Authority received a proposal for Regulatory Compliance Assistance from Remington Vernick for 2023. Their proposed estimated budget is \$32,500 which is a \$2,500 (8.3%) increase as compared to last year's budget but still \$500 (1.5%) decrease as compared to the 2021 budget. The contract is on a cost not to exceed budget and is paid on an hourly rate as listed in Remington Vernick's 2022 RFQ package.

At this time the Authority may award a Professional Services Contract to Remington Vernick in the amount not to exceed \$32,500.00 for Regulatory Compliance Assistance 2023.

- **Resolution No. 23-07** Awarding Professional Services Contract Regulatory Compliance 2023 **Motion** was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

6. **Hydraulic Modeling 2023**

Mr. Farrell reported November 29, 2022 the Authority received a proposal from Remington Vernick to provide Hydraulic Modeling services for proposed developments based the parameters we specified. The following summarizes the proposal:

- 0-100 units = \$3,150
- 101-175 units = \$3,650
- 176-250 units = \$4,200
- 251-300 units = \$4,700

The rates listed in this proposal have increased by \$150 - \$200 (4.2% - 5.0%) for the development sizes compared to the proposal awarded for the calendar year 2022.

At this time the Authority may award a Professional Services Contract for hydraulic modeling in the calendar year 2023 to Remington Vernick at the rates listed in their proposal dated November 29, 2022.

- **Resolution No. 23-08** Awarding Professional Services Contract Hydraulic Modeling 2023 **Motion** was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

7. **Bureau of Water Systems Engineering Water Master Permit Update 2023**

Mr. Farrell reported November 29, 2022 the Authority received a proposed from Remington Vernick for updating the Authority's water master permit in the lump sum amount of \$4,750.00. This is an increase of \$250.00 (5.5%) compared with the 2022 contract, however, still a decrease of \$750.00 (13.6%) compared with the 2021 contract.

At this time the Authority may award a Professional Services Contract to Remington Vernick in the lump sum amount of \$4,750.00 for updating the Authority's Water Master Permit.

- **Resolution No. 23-09** Awarding Professional Services Contract Water Master Permit Update 2023 **Motion** was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Adopted**.

8. **Connection Fees 2024**

Mr. Farrell reported on November 29, 2022 the Authority received a proposal from Remington Vernick to prepare recommendations for the Authority’s water and sewer connection fees for 2024 in the lump sum amount of \$4,200.00. This amount is a \$200.00 increase (5%) compared with the 2023 amount.

At this time the Authority may award a professional services contract to Remington Vernick to prepare recommendations for the Authority’s connection fees for 2024 in the lump sum amount of \$4,200.00.

- **Resolution No. 23-10** Awarding Professional Services Contract connection Fees 2024 **Motion** was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Adopted**.

9. **Bids for Chemicals and Cold Water Meters for Calendar Years 2023-2024**

Mr. Farrell reported December 8, 2022 the Authority received a total of one (1) bid for the purchase of Cold Water Meters. The only bidder was Core & Main who provided unit cost bid prices for both a one year contract and a two year contract. The unit prices provided for the two year contract are slightly higher than the prices provided for the one year contract, however, the two year contract provides price stability for two years instead of one year.

December 9, 2022 the Authority Director of Engineering issued a letter to the Authority Attorney reviewing the bid for the purchase of Cold Water Meters.

At this time it is recommended that the Authority award a one year contract for the purchase of Cold Water Meters to Core & Main at the unit costs listed in their bid package and conditioned on the reviews of the Authority Attorney and Director of Engineering.

- **Resolution No. 23-11** Awarding Contract Purchase of Cold Water Meters 2023 **Motion** was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all seated members voted **“Yes”**. **Adopted**.

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

Both parties in the lawsuit have been served and the time to file an answer is coming up. Mr. Pfeffer will update the Board at the next meeting.

IX. **Executive Director’s Report**

Given by Mr. J. Flancbaum, Executive Director

1. **Resolution Authorizing the Execution of a Shared Services Agreement with the Township of Lakewood**

Mr. J. Flanbaum reported that this is for the Truck Wash.

Resolution No. 23-12 Authorizing the Execution of a Shared Services Agreement with the Township of Lakewood

Motion was made by Mrs. Fish and seconded by Mr. Theibault. On roll call, Mayor Coles abstained, all other seated members voted **“Yes”**. **Adopted**.

2. **Designating a Public Agency Compliance Officer (P.A.C.O)**

Mr. J. Flanbaum reported that Colin Farrell is our current PACO and we would like to designate him again for 2023.

- **Resolution No. 23-13 Designating a Public Agency Compliance Officer**

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

3. **Resolution Authorizing the Execution of a Total Care/EC Agreement with LookFirst Technology LLC.**

Mr. J. Flanbaum reported the proposal for 2023 from LookFirst Technology LLC. is for \$21,878.18 for computer hardware and operating system support and consulting services. This represents a 10% increase from last year due to the growth in our organization and the increase in equipment and service tickets.

Look first has been servicing us for many years and we are satisfied with their service and he recommended awarding them the contract for 2023.

- **Resolution No. 23-14 Authorizing the Execution of a Total Care/EC Agreement with LookFirst Technology LLC**

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

4. **Resolution Authorizing the Execution of a Risk Management Consultant Agreement**

Mr. J. Flanbaum reported that Conner Strong & Buckelew’s risk management consultant fee is 6% of our total JIF assessment. Our assessment for 2023 is \$106,487 making their fee \$6,389.22.

Conner Strong provides us with excellent advice and service and he recommended awarding them the contract for 2023.

- **Resolution No. 23-15 Authorizing the Execution of a Risk Management Consultant Agreement**

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

X. Technical Operations Report

Given by Mr. Bob Farina, Director of Operations

Operations Dept.:

1. Our ASR Well #17 bio-film remediation effort is now complete, and the results exceeded our expectations with regards to our pumping yields being returned to normal. In total, a sum of \$247,159.52 was spent on this achievement. Had this effort failed or not been applicable in the first place, the alternative would have been to apply to the NJDEP for permission to drill a new replacement well which may or may not have been granted, but if we had to and were permitted to drill a new well, the costs would have easily exceeded the one-million-dollar mark considering the additional costs of abandoning the existing well.
2. We will be looking into a routine maintenance plan for well #17 going forward.

Technical Operations Dept.:

3. All SCADA and communications equipment are up and running fine.
4. The Authority now has a full compliment of spare motors on hand to immediately address any failures that may occur.

IT Dept.:

5. The replacement card key access equipment has been completed in the Administration Bldg. We also added card key access to both Authority’s main server rooms for added security. This completes the card key access effort for the N.H. Ave. campus, and we will go on to work on the Shorrock St. facility which will be a smaller and less costly project in 2023.
6. Yearly computer inventory audit is complete.
7. In the process of restructuring the security permissions for the FS02 server.

GIS/Cyber-Security Dept.:

GIS:

8. Finalizing GPS equipment purchase recommendations.
9. Preparing for the Phase 1 deployment of GIS Enterprise strategic plan.
10. Submitted the year end Water Quality Accountability Act certification form.

Cyber-Security:

11. Received confirmation of Tier 3 MEL/JIF compliance regarding Cyber-security management.
12. Submitted Water Quality Accountability Act Cyber-security plan.
13. Re-issued the preview for the new Cyber-security plan that is specific to JIF that benefits the Authority by being grandfathered in due to having Tier 3 status.

XI. Commissioners’ Report

Senator Singer reported to the Board that we will be changing health care plans back to the Township and leaving the State Health Benefits Program. Mr. Sondak and Mr. J. Flancbaum will be working on this in the next few weeks and will report back to the Board. The Township plan is as good or better than the state plan so there will be no loss to our employees. It's an excellent plan. We went out of the plan originally to save substantial money at that time. Things have changed back the other way and we are no longer saving money.

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

Motion to adjourn made by Mayor Coles and seconded by Mr. Theibault.
The meeting was adjourned at 10:35 A.M.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA