



Board of Commissioners

Senator Robert Singer, Chairman

Mayor Raymond Coles, Vice Chairman

Craig Theibault, Treasurer

Anne Fish, Assistant Secretary

Yocheved Miller, Commissioner

Samuel Flanbaum, Alt. Commissioner

Meir Lichtenstein, Alt. Commissioner

THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

October 4, 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: Mrs. Fish, Mr. S. Flanbaum, Committeeman Lichtenstein and Senator Singer.
Mr. S. Flanbaum and Committeeman Lichtenstein were both seated.
The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq., Mr. Justin Flanbaum, 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 September 7, 2022, was made by Mrs. Fish and seconded by Mr. S. Flanbaum. 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. **2022-2023 Water/Sewer Budget Extension Resolution**

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

390 NEW HAMPSHIRE AVENUE, LAKEWOOD, NEW JERSEY 08701

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Mr. Sondak reported that we have a resolution to approve a 120-day extension for the 2022-2023 Budget submission to the DCA. We anticipate the budget will be presented to the Board for approval at the December 6th meeting, followed by the DCA approval, and then for Board adoption at the January 2023 meeting.

- **Resolution No. 22-77** 2022-2023 Water/Sewer Budget Extension
Motion was made by Mr. S. Flancbaum and seconded Committeeman Lichtenstein. On **roll call**, all seated members voted “**Yes**”. **Adopted.**

2. Billing Update

Transition to new invoice format and outsourcing envelope stuffing and mailing is complete and successful. Mr. Sondak reported on some positive feedback from some ratepayers, including a note added to a payment slip.

eBilling is now live. We’ve included a statement stuffer in the September bills. 41 ratepayers are currently in the process of enrolling.

3. Motion to Approve Operating Voucher

The Operating Voucher in the Board Packet is \$512,630.96. There are no out-of-the-ordinary monthly issues to note. Mr. Sondak recommend that the board approve the Operating Voucher of \$512,630.96 with noted abstentions.

Motion was made by Mr. S. Flancbaum 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. 4 (*Owner: Congregation Birchas Yaakov-Rabbi Eli Katz. General Contractor: Regency Developers-Abe Auerbach*)

Mr. Ponsi stated on September 29, 2022 the Authority issued a maintenance guarantee release letter detailing the items required for the maintenance guarantees to be released. At this time the Authority may release the maintenance guarantees for the Magnolia I development conditioned upon the Authority’s letter dated September 29, 2022.

- **Resolution No. 22-78** Releasing Maintenance Guarantees Ridge Avenue School No. 4
Motion was made by Committeeman Lichtenstein and seconded Mrs. Fish. On **roll call**, all seated members voted “**Yes**”. **Adopted.**

2. New Hampshire & Route 70 74 Unit Development (*Owner: New Hampshire 54, LLC-Yehuda Dachs*)

Mr. Ponsi stated on September 29, 2022 the Authority issued a performance guarantee reduction letter detailing the amounts the performance guarantees may be reduced and listing the items required for performance guarantee release. At this time the Authority may reduce the performance guarantees for the New Hampshire & Route 70 74 Unit Development in the amounts as detailed in the Authority's letter dated September 29, 2022.

- **Resolution 22-79** Reducing Performance Guarantees New Hampshire & Route 70 74 Unit Development
Motion was made by Mr. S. Flancbaum and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

3. Route 88 Office Building by NJAW (*Owner: KG Investments, LLC-Jack Klugman*)

Mr. Ponsi reported that on September 13, 2022, GTS Consultants issued technical review #8 and final review #1. At this time the Authority may grant final approval for the Route 88 Office Building by NJAW project conditioned on the GTS Consultants letter dated September 13, 2022.

- **Resolution No. 22-80** Granting Final Approval Route 88 Office Building by NJAW
Motion was made by Mr. S. Flancbaum and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

4. Locust Street School No. 1 (*Owner: Congregation Yeshiva Mkor Chaim, Inc-Rabbi Simcha Paller. General Contractor: Regency Developers-Abe Auerbach*)

Mr. Ponsi stated there are site specific terms for the Developer's Agreement for the Locust Street School No. 1 project:

- The Developer agrees to pay \$2,105.37 as a fair share contribution to K- Lakewood Associates, LLC towards sanitary sewer improvements completed by K-Lakewood Associates, LLC that benefit this Developer's Application as per the reimbursement agreement entered into by the Authority and K-Lakewood Associates, LLC.
- The Developer agrees to pay \$2,257.20 as fair share contribution to 150 Locust Developer, LLC towards sanitary sewer improvements completed by 150 Locust Developer, LLC that benefit this Developer's Application as per the reimbursement agreement entered into by the Authority and 150 Locust Developer, LLC.

These fair share contributions have already been paid so at this time the Authority may accept the terms of the Developer's Agreement as described in Schedule "B".

- **Resolution No. 22-81** Authorizing the Execution of Developer's Agreement Locust Street School No. 1
Motion was made by Mr. S. Flancbaum and seconded by Committeeman Lichtenstein. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

5. 485 Oberlin Avenue 2 New Buildings (*Owner: 485 Oberlin Owner, LLC-Elkana Tress. General Contractor: NexGen-Chaim Abadi*)

Mr. Ponsi reported there are site specific terms for the Developer's Agreement 485 Oberlin Avenue 2 New Buildings project:

- The Developer agrees to pay \$12,073.00 for the proposed building on Lot 2.02 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.
- The Developer agrees to pay \$22,311.00 for the proposed building on Lot 2.03 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 described in Schedule 'B'.

- **Resolution No. 22-82** Authorizing the Execution of Developer's Agreement 485 Oberlin Avenue 2 New Buildings
Motion was made by Mr. S. Flancbaum and seconded by Committeeman Lichtenstein. On **roll call**, all seated members voted "**Yes**". **Adopted.**

6. Hatbox 470 Oberlin Avenue Building Addition (*Owner: 470 Oberline, LLC-Joshua Ellenbogen. General Contractor: Regency Development-Abe Auerbach*)

The following are the site specific terms for the Developer's Agreement for the Hatbox 470 Oberlin Avenue Building Addition project:

- The Developer agrees to pay \$7,301.00 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 described in Schedule 'B'.

- **Resolution No. 22-83** Authorizing the Execution of Developer's Agreement Hatbox 470 Oberlin Avenue Building Addition
Motion was made by Mrs. Fish and seconded by Mr. S. Flancbaum On **roll call**, all seated members voted "**Yes**". **Adopted.**

7. 475 Oberlin Avenue New Office Building (*Owner: 475 Oberlin Owner, LLC-Elkana Tress. General Contractor: Regency Development-Abe Auerbach*)

The following are the site specific terms for the Developer's Agreement for the 475 Oberlin Avenue New Office Building project:

- The Developer agrees to pay \$89,117.00 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 described in Schedule 'B'.

- **Resolution No. 22-84** Authorizing the Execution of Developer's Agreement 475 Oberlin Avenue New Office Building
Motion was made by Mrs. Fish and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted "**Yes**". **Adopted**.

8. Airport Road Tank Painting 2022

Mr. Farrell reported that on September 23, 2022 the Authority received a proposal from Richard A. Alaimo for Consulting and Full-Time Painting Inspection services in the cost not to exceed amount of \$21,800.00.

At this time the Authority may award change order #1 to Richard A. Alaimo to remove the construction observation phase of the original contract in the credit amount of \$12,000.00 and to award the new proposal for consulting and full-time painting inspection services in the amount of \$21,800.00 for a net change order increase in the amount of \$9,800.00.

Mr. J. Flancbaum added that the proposal came from MBA but will pass through Alaimo Associates with no increase.

Senator Singer also added that the reason why we are recommending the change to this observation company is they are more attuned to the tank painting as to the mixing and the application. This is an expensive project that we want to make sure is being done right so we don't want to have to do again for a while.

- **Resolution No. 22-85 Awarding Change Order #1**
Motion was made by Mr. S. Flancbaum and seconded by Mrs. Fish. On **roll call**, all seated members voted "**Yes**". **Adopted**.

9. RFQ's for Engineering Services for Calendar Year 2023

Mr. Farrell stated at this time the Authority may authorize the issuance of the Request for Qualifications for Professional Engineering Services for the calendar year 2023.

- **Motion Authorizing Issuance of Request for Qualifications**
Motion was made by Committeeman Lichtenstein and seconded by Mrs. Fish. On **voice vote**, all seated members voted "**Aye**". **Adopted**.

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

Mr. Farrell stated 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 2023 and 2024.

- **Motion Authorizing Issuance of Notice to Bidders**
Motion was made by Mr. S. Flancbaum and seconded by Mrs. Fish. On **voice vote**, all seated members voted “**Aye**”. **Adopted**.

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 use of project labor agreements for projects in excess of five million dollars

A project labor agreement is a collective bargaining agreement between building trade unions and contractors. They govern terms and conditions of employment for all craft workers on a project.

Senator Singer added that this doesn't mean the contractor [has](#) to use them. We do try to support [this](#) as these people are all local people that live in Monmouth County and Ocean County and we would like to see them get the jobs.

- **Resolution No. 22-86** Authorizing the use of Project Labor Agreements for Projects in Excess of 5 million dollars.
Motion was made by Mr. S. Flancbaum and seconded by Committeeman Lichtenstein. On **roll call**, all seated members voted “**Yes**”. **Adopted**.

2. Tax Sale Update

When we opened Tax Sale in July we had about \$340,000.00 in balances to be collected. To date, we have collected approximately \$200,000.00 so we have about \$140,000.00 going to Tax Sale this Friday.

X. Technical Operations Report
 Given by Mr. Bob Farina, Director of Operations

Operations Dept.:

1. The contractor started their mobilization to begin painting the Airport Road tank. The projected completion time is 4 weeks.
2. The treatment portion of the well #17 rehab. project is under way as we are in the process of obtaining the necessary chemicals needed.
3. New Field Operations employee Jake Spano started on September 26th and is doing well so far. This employee replaces one that left the Authority.

Technical Operations Dept.:

4. All SCADA and communication systems are operating fine.

IT Dept.:

5. Leon worked with Don and our vendor Duvys on both the front and backends of the eBilling project with regards to setting up the email distribution group, network, and firewall. Project is now complete.
6. SCADA server upgrade is just waiting for hardware document review and approval.
7. VeraCrypt Encryption for MEL/JIF compliance is set to be installed on all HR personnel PCs. The activities will then be audited on a 6-month basis to ensure compliance.

GIS/Cyber Security Dept.:

GIS:

8. Fire Commissioners were provided with updated fire hydrant summary.
9. Supported several inhouse and external (County & Twp) projects with GIS data.
10. Attended online and in person presentations on Esri's Utility Network solution which is in the process of deployment.
11. Will be attending the Mid-Atlantic URIAS (NJ state GIS) workshop and conference this month.

Cyber Security:

12. Registered for the H20 SecCon virtual conference hosted by the Water ISAC.
13. Work on coordinating with the MEL/JIF cyber security consultant regarding the GAP study.

Senator Singer asked Mr. Farina if the fact we allow the field staff to use their own cell phones and they are not encrypted-do we have any vulnerability due to that? Mr. Farina explained that we only use the phones for communication, authority business. However, encrypted phones are being hacked too.

XI. Commissioners' Report

Senator Singer reported that we are looking to do a solar field at Shorrock Street, similar to the one here at our [New Hampshire Ave.](#) complex. The Township owns the land directly across [from our treatment facility](#) on Shorrock Street. We are taking a look to see if it's a viable option. If it is, we will be going to the Township ask for a couple of acres so we can build a solar field to reduce the cost of our electric for the treatment plant which again, benefits the ratepayers. The land has been vacant for a long time and we are always thinking clean and green.

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

The meeting was adjourned at 10:25 A.M.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA