



Board of Commissioners

Senator Robert Singer, Chairman

Raymond Coles, Vice Chairman

Anne Fish, Treasurer

Samuel Flanbaum, Assistant Secretary

Michael Sernotti, Commissioner

Craig Theibault, Alt. Commissioner

P. G. Waxman, Commissioner

**THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
ANNUAL REORGANIZATION MEETING MINUTES
FEBRUARY 3, 2015**

- I. The Chairman opened the meeting at 2:01 P.M. in the Conference Room of the Lakewood Township Municipal Utilities Authority, 390 New Hampshire Avenue, Lakewood, New Jersey.
- II. The Chairman announced that in accordance with Chapter 231, Public Law 1975, adequate notice of this meeting was given and that a notice of this 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 7, 2014 and The Tri Town News on February 12, 2014.

III. Roll Call

On a roll call the following Commissioners were present: Mr. Theibault, Mr. S. Flanbaum, Mr. Sernotti, Mr. Waxman, Mrs. Fish and Senator Singer. Mr. S. Flanbaum was seated as an alternate.

The following professionals and key personnel were present: Mr. Norman Smith, Esq.; Mr. Gerwin Bauer, Jr., CPA; Mr. Justin Flanbaum, Executive Director, Mr. Daniel Rappoccio, CFO, Mr. Paul Morrill, P.E., Mr. Robert Farina, Instrumentation Department Supervisor and Mrs. Nancy Lapa, Secretary.

IV. Salute to the Flag

V. Business of Meeting

A. Senator Singer called for nomination for Secretary.

Mr. Waxman made a motion, seconded by Mr. Coles that **Nancy Lapa** is nominated for **Secretary**.

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

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Motion made by Mr. Waxman and seconded by Mrs. Fish that nominations be closed. On a **roll call**, all members present voted "**Yes**". **Motion carried.**

B. Senator Singer handed over the meeting to the **Secretary**.

C. The Secretary called for **nominations for Chairman**.

Mr. Waxman made a motion, seconded by Mr. Sernotti that **Senator Singer** is nominated for **Chairman**.

Motion made by Mr. Waxman and seconded by Mrs. Fish that nominations be closed. On a **roll call**, all members present voted "**Yes**". **Motion carried.**

D. The Secretary relinquished the **Chair** to the elected **Chairman**.

E. The Chairman called for **nominations for Vice Chairman**.

Mr. Waxman nominated **Mr. Coles** for **Vice Chairman**, seconded by Mr. S. Flancbaum.

Motion was made by Mr. Waxman and seconded by Mrs. Fish that nominations be closed. On a **roll call**, all members present voted "**Yes**". **Motion carried.**

F. The Chairman called for **nominations for Assistant Secretary**.

A motion was made by Mr. Waxman and seconded by Mrs. Fish to nominate **Mr. Sam Flancbaum** for **Assistant Secretary**.

Motion was made by Mr. Waxman and seconded by Mrs. Fish that nominations be closed. On a **roll call**, all members present voted "**Yes**". **Motion carried.**

G. The Chairman called for **nominations for Treasurer**.

A motion was made by Mr. Waxman, seconded by Mr. S. Flancbaum to nominate **Mrs. Fish** for **Treasurer**.

Motion was made by Mr. Waxman and seconded by Mr. S. Flancbaum that nominations be closed. On a **roll call**, all members present voted "**Yes**". **Motion carried.**

Senator Singer and Mr. Waxman did not participate or vote in the discussion regarding banking. The gavel was handed to Mrs. Fish.

H. A motion was made by Mrs. Fish and seconded by Mrs. S. Flancbaum **designating bank** as main depository of funds: **Harmony Bank**, 500 River Avenue, Lakewood, New Jersey. On a **roll call**, all members present voted "**Yes**". **Motion carried.**

I. A motion was made by Mr. S. Flancbaum and seconded by Mr. Sernotti to designate **Harmony Bank**, 500 River Avenue, Lakewood, NJ as depository for

the payroll account, deposit account and other MUA funds. On a **roll call**, all members present voted "**Yes**". **Motion carried.**

- J. A **motion** was made by Mr. S. Flancbaum and seconded by Mr. Sernotti designating banks and the **New Jersey Cash Management Fund** as depository for MUA funds.

1] **State of New Jersey Cash Management Fund, Division of Investments, PO Box 290, Trenton, NJ**

2] **Ocean First Bank, 321 Chambers Bridge Road, Brick, NJ**

3] **Fulton Bank of New Jersey, East Kennedy Blvd, Lakewood, NJ**

4] **Harmony Bank, 500 River Avenue, Lakewood, NJ**

5] **Community First Bank, 408 Elizabeth, Somerset, NJ**

6] **Northern State/First Commerce, 105 River Avenue, Lakewood, NJ**

On a **roll call**, all members present voted "**Yes**". **Motion carried.**

Senator Singer stepped out of the room.

Mr. Waxman is now part of the discussion. Mrs. Fish handed the gavel to Mr. Waxman.

- K. A **motion** was made by Mr. Waxman, seconded by Mr. Coles **designating all Commissioners to sign checks, vouchers, and all necessary financial documents.** Senator Singer returned and is now part of the discussion. On **roll call**, all members present voted "**Yes**". **Motion adopted.**

Mr. Waxman handed the gavel to Senator Singer.

- L. A **motion** was made by Mr. S. Flancbaum and seconded by Mr. Waxman **designating Asbury Park Press and Tri Town News** as official newspapers of the LTMUA. On **voice vote**, all members present voted "**Aye**". **Motion adopted.**

VI. Resolutions

- A. A **motion** was made by Mr. Waxman and seconded by Mrs. Fish to adopt **Resolution #15-09 – Establishing Time, Date and Place of Regular Monthly Meeting and Annual Meeting.** A discussion took place regarding the start time of the monthly meetings. It was decided to keep the start time at 10:00 A.M. On a **voice vote**, all members present voted "**Aye**". **Adopted.**

- B. Mr. Flancbaum gave a summary of the proposals submitted. For auditor only one proposal was received and it was from Mohel Bauer Elliot and Gass. It was reviewed and Mr. Flancbaum recommends awarding it to them. For general counsel only one proposal was received and it was from Norman Smith. Two proposals were received for Labor Counsel. One proposal was from Parker McCay and the second one was from Citta, Holzapfel and Zabarsky. Both proposals were reviewed and took into account price and some other factors and Mr. Flancbaum recommends awarding it to Citta,

Holzapfel and Zabarsky. They have been the Authority's labor counsel for the last several years. Senator Singer asked if anyone heard of Parker McCay. Mr. Smith said that they a large old firm and they do a lot of government work and a lot of litigation. They are located in Newark area. Mr. Flancbaum said that four proposals were received for bond counsel. Mr. Waxman asked who we have currently. Mr. Flancbaum said that the Authority has Gluck Walrath LLP. They were one of the companies that submitted proposals. The other three proposals were from Parker McKay, Kraft and Capizzi and Hawkins Delafield and Wood LLP. Taken into account was pricing for the various firms and familiarity with the Authority with the different bonds issues and Authority loans. Gluck Walrath LLP has done all the work for the last few bond issues and we were very happy with their work. Their price is good. Senator Singer asked which firm the Township awarded to. They did not award to Gluck Walrath LLP. No one knew the name of the firm. Senator Singer was concerned that the Authority is using a different bond counsel than the Township. At some point the Authority may need to use their bonding authority to get a better rate. The Township has not used Gluck Walrath LLP for around five years. Mr. Waxman asked who they use. Senator Singer said they use Bennett and they appointed a second firm. Mr. Waxman asked if the Authority can award it to Bennett even if they did not submit a proposal. Senator Singer said no, we cannot do that. Senator Singer said that we should go with Gluck Walrath LLP now. The Authority should take a look at which firm the Township is using now. The Authority should be aligned with the Township especially since we use their bond rating to bond. The Authority does not have a bond rating. Mr. Waxman asked if there is a way to open the bids again. Senator Singer said it is not necessary now because the Authority is not going to bond now. Mr. Smith said that you can add or change a bond counsel. It does not need to be at the annual reorganization meeting. A **motion** was made by Mr. Waxman and seconded by Mrs. Fish to adopt **Resolution # 15-10 – Appointment of Professional Personnel (Auditor, Bond Counsel, Labor Counsel and Counsel)**. On **roll call**, all members present voted "Yes". **Adopted**. Mr. Smith expressed his appreciation to the Authority for his thirty first consecutive appointment. Mr. Waxman complimented Mr. Smith and his firm for doing a very good job.

- C. Mr. Flancbaum said that Mrs. Nancy Lapa is Certifying Officer. A motion was made by Mr. Waxman and seconded by Mrs. Fish to adopt **Resolution # 15-11 – Designation Certifying Agent**. On a **voice vote**, all members present voted "Aye". **Motion carried**.
- D. Mr. Flancbaum said that he and Mr. Daniel Rappoccio are Financial Officers and Ms. Robyn Gaynor is Assistant Financial Officer. A **motion** was made by Mr. Waxman and seconded by Mrs. Fish to adopt **Resolution # 15-12 – Appointment of Financial Officers and Assistant Financial Officer**. On a **roll call**, all members present voted "Yes". **Motion carried**.
- E. Mr. Flancbaum said that Ms. Ellen Stensgaard is the PACO Officer. A **motion** was made by Mr. Waxman and seconded by Mr. Sernotti to adopt **Resolution # 15-13 - Designating Public Agency Compliance Officer**

(PACO). On a **voice vote**, all members present voted "**Aye**". **Motion carried.**

F. Mr. Flancbaum said that the only change from last year is that there is an annual fee of \$500 for flushing private fire hydrants. Mr. Waxman asked what is meant by private. Senator Singer explained that the fire hydrant is on private property and owned by them. Mr. Flancbaum said that as a service, which is to the Authority's benefit, the Authority flushes their hydrants annually to make sure they work. A **motion** to accept **2015 Engineering and Operations Fee Schedule** was made by Mr. Waxman and seconded by Mr. Sernotti. On **voice vote**, all members present voted "**Aye**". **Motion carried.**

G. Mr. Waxman asked if there are any changes. Mr. Morrill said that was a three and one half percent increase. A **motion** to accept **2015 Construction Cost and Bonding Amounts** was made by Mr. Waxman and seconded by Mr. Sernotti. On **roll call**, all members present voted "**Yes**". **Motion carried.**

VII. A **motion** was made by Mr. Waxman and seconded by Mr. S. Flancbaum **authorizing the Attorney to prepare contracts for the Professionals.** On a **voice vote**, all members present voted "**Aye**". **Motion carried.**

VIII. Meeting is **Opened to the Public**
No response from the Public

IX. Meeting is **Closed to the Public**

X. Adjournment

Motion made by Mr. S. Flancbaum and seconded by Mrs. Fish to adjourn the reorganization meeting. On a **voice vote**, all members present said "**Aye**". **Motion carried. Meeting was adjourned at 2:19 P.M.**

Respectfully submitted,

Nancy Lapa
Secretary, LTMUA