



**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**

**April 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 February 10, 2023 and the Lakewood Shopper on February 9, 2023.
- III. **Salute to the Flag**
- IV. **Roll Call of Commissioners**  
On roll call the following Commissioners were present: Mr. Theibault, Mr. S. Flancbaum, Committeeman Lichtenstein and Senator Singer.  
The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq. (via phone conference), Mr. Gerwin Bauer, Auditor, Mr. Justin Flancbaum, Executive Director, Mr. Donald Sondak, Chief Financial Officer/Human Resources Director, 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 Monthly Meeting held on March 1, 2023, was made by Committeeman Lichtenstein seconded by Mr. Theibault. On **roll call**, all seated members voted **"Yes."** **Motion carried.**

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**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. First Quarter Financial Results**

Mr. Sondak reported that overall we are on budget.

Revenue is 374k (11%) ahead of budget attributable to Connection Fees. Excluding Connection Fees, Revenue is equal to Budget.

Expenses are 180k (7%) better than budget, mostly due to Open Headcount positions Salary & Healthcare

Also, 2 employees waived after budget was done saving ~50k. Currently we have 4 open positions.

### **2. Resolution to proceed with short term funding for the GAC Building Project**

We have a resolution to declare our official intent to reimburse our expenditures through debt obligations in connection with the New Jersey Infrastructure Bank (iBank).

The GAC Buildings Project is currently estimated at \$10.5M. By securing short term funding we will be reimbursed for our construction expenses until construction is complete, at which time we will work to secure long term funding. In a few months, I'll be back to the board to secure approval to obtain the actual loan for short term funding.

In addition, we have another GAC project for Wells 1, 2 and 3 estimated at \$2.3 million.

- **Resolution No. 23-36 To Proceed with Short Term Funding for the GAC Building Project Motion** was made by Committeeman Lichtenstein and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted **“Yes”**. **Adopted.**

### **3. Motion To Approve Operating Expenses**

The Operating Voucher in your Board Packets is \$1,056,157.38.

A few items of note which are included on the list: \$342,735 - final payment to Brick MUA for purchased water; \$19,800 – Semiannual Admin fees for iBank loan servicing.

I recommend that the board approve the Operating Voucher at \$1,056,157.38, with noted abstentions.

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

Senator Singer informed the Board that through Conner Strong, our new health insurance has a concierge service available if a member experiences a problem and needs to call Aetna, the service will handle the issue for us.

## **VII. Engineer's Report**

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

1. **Releasing Maintenance Guarantees Magnolia II** (*Owner/Developer: 319 Cedarbridge, LLC-Menachem Gutfreund*)

Mr. Ponsi reported on March 30, 2023 the Authority issued a maintenance guarantee letter detailing the items required for release of the maintenance guarantees. At this time the Authority may release the maintenance guarantees for the Magnolia II development conditioned on the Authority's letter dated March 30, 2023.

- **Resolution No. 23-37 Releasing Maintenance Guarantees Magnolia II**

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

2. **Avenue of the States Office Tower No. 5** (*Tower 5 Equity, LLC-Mark Chopp*)

Mr. Ponsi reported that 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 23-38** Authorizing the Execution of Developers Agreement Avenue of the States Office Tower No. 5

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

3. **Granting Conceptual & Technical Approval Burnside Avenue Development** (*Bridgewater Lakewood Estates, LLC-Saul Mizrahi*)

Mr. Farrell reported that Grant Engineering issued a letter detailing the requirements for final approval along with the bonding estimates for the water and sanitary sewer infrastructure.

At this time the Authority may grant the Burnside Avenue Development conceptual and technical approvals conditioned on the Grant Engineering letter dated March 7, 2023 and revised March 14, 2023.

- **Resolution 23-39** Granting Conceptual & Technical Approval Burnside Avenue Development

**Motion** was made by Mr. S. Flancbaum and seconded by Mr. Theibault. On **roll call**, Committeeman Lichtenstein and Senator Singer abstained, all other seated members voted **“Yes”**. **Adopted.**

Senator Singer wanted it noted on the record that he doesn't do business with Bridgewater Lakewood Estates, rather they are his landlord for his home.

**4. Motion Authorizing NTB Sanitary Sewer Extension to Old Pine Acres**

**Motion** was made by Mr. Theibault and seconded by Committeeman Lichtenstein. On **voice**, all seated members voted **“Yes.”** **Adopted.**

**5. Motion Authorizing NTB Well 2 Replacement Design & Construction**

**Motion** was made by Mr. Theibault and seconded by Committeeman Lichtenstein. On **voice**, all seated members voted **“Yes.”** **Adopted.**

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

Mr. Pfeffer reported that we had been in litigation with a former employee and the case has settled.

**IX. Executive Director's Report**

Given by Mr. J. Flancbaum, Executive Director

**1. Low Income Household Water Assistance Program (LIHWAP)**

To date we have received 4 payments from the State of NJ total just over \$101,000.

Customers who want more information can go onto our website for more info or State of NJ's website.

**2. Upcoming Capital Projects**

**Ibank Projects: \$12,800,000**

- GAC Buildings; PFAS removal- NH Ave & Shorrock St.: **\$10,500,000**
- GAC removal @ wells 1, 2, & 3: **\$2,300,000**

**ARP Projects \$3,750,000:**

- Old Pine Acres Sewer Main Extension: **\$1,494,500**

- OLV & LVE irrigation metering: **\$1,400,000**
- Ridge Ave. water main loop (deleted) 400k transferred to Old Pine Acres Sewer Main Extension: **\$5,500 (project removed)**
- Rutgers Blvd. water main loop: **\$850,000**

**Self funded Projects: \$3,700,000**

- Well 2 Replacement: **\$900,000**
- Pine St. Wells (Wells 20 & 21) **\$1,850,000**
- Shorrock St Back up well (well 22) **\$820,000**
- Well abandonments ( 4, 19, & Ball field) **\$130,000**

**X. Technical Operations Report**

Given by Mr. Bob Farina, Director of Operations

**Operations Dept:**

1. We have hired a new field technician for the operations dept. that replaces the person that left a while back. His initial background checks have come back satisfactory, and he started Monday, April 3<sup>rd</sup>.
2. Card Key access installation is beginning at the LVE sewer lift station site. Shorrock St. is complete and working fine.

**Technical Operations Dept:**

3. All SCADA and communication systems are up and running well.
4. The SCADA server equipment rack for the Shorrock Street control room has arrived and we are in the process of switching over all existing IT equipment with minimal to no disruption to the treatment operations there.

**IT Dept:**

5. A new PC workstation was purchased for the new GIS employee and a priority has been issued to get it setup as soon as it arrives.
6. We are currently reviewing the ICONICS software support contract prior to committing. This software provides SCADA with alarm and historical data capabilities and is renewable on a yearly basis. A new server was recently installed for this application under the new SCADA server upgrade.
7. New PC workstation for both Operations supervisors are complete and up and running.

8. We are still trying to procure the replacement fire alarm panel for Well houses 7&17. This is ongoing for several months now and was told was due to supply chain issues.

**GIS/Cyber-Security Dept:**

**GIS:**

9. Our new employee has completed some initial training and so far, has been working out well.
10. A survey is being conducted on our fire hydrants including QA/QC with regards to locations, maintenance, billing, and other associated information.
11. Our newly received GIS field plotting equipment and field tablets are set up and are in use.

**Cyber-Security:**

12. We are now in receipt of the new Cyber JIF requirements and are currently in review to ensure that the Authority is in and maintaining compliance.
13. The Authority's staff continues to do well on phishing tests giving management a sense that the employees are viewing this threat as serious as they should be. We are currently wrapping up this session of training for the staff that consisted of covering the aspects of various forms of threats and password security.

Mr. Theibault asked for further explanation of how ransomware is able to penetrate our system and what we are doing about it. Mr. McClain and Mr. Farina both provided some details on how it comes through email and with all the on-going training being provided, the staff knows what to look for in an illegitimate email. Mr. McClain continued, the controls in our system make it difficult/not possible to get any bank account information. Additionally, we have a two-step verification for all bank information.

**XI. Commissioners' Report**

**XII. MEETING OPEN TO THE PUBLIC**

**XIII. MEETING CLOSED TO THE PUBLIC**

**XIV. ADJOURNMENT**

**Motion** to adjourn made by Mr. Theibault and seconded by Committeeman Lichtenstein  
The meeting was adjourned at 10:40 A.M.

Respectfully submitted,

Robyn Gray,  
Secretary, LTMUA