



Board of Commissioners

Senator Robert Singer, Chairman

Raymond Coles, Vice Chairman

Anne Fish, Treasurer

Samuel Flancabaum, Assistant Secretary

Michael Sernotti, Commissioner

Craig Theibault, Alt. Commissioner

P. G. Waxman, Commissioner

THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

May 5, 2015

- 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, New Jersey.
- 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 6, 2015 and The Tri Town News on February 11, 2015.
- III. **Salute to the Flag**

Mr. Waxman wanted the record to reflect that the clock in the Conference Room is fifty seconds fast.
- IV. **Roll Call of Commissioners**
On the roll call the following Commissioners were present: Mr. S. Flancabaum, Mr. Sernotti, Mr. Coles, Mr. Waxman and Senator Singer. Mr. S. Flancabaum was seated as an alternate. The following professionals and key personnel were present: Mr. Norman Smith, Esq., Mr. Justin Flancabaum, Executive Director, Mr. Daniel Rappoccio, CFO, Mr. Paul Morrill, P. E., Mrs. Nechama Lapa, Secretary, Mr. Robert Farina, Instrumentation Department Supervisor.
- V. **Minutes**
A **motion** to approve the minutes of the Regular Meeting held on April 1, 2015, was made by Mr. Coles and seconded by Mr. Waxman. On a **voice vote**, all members present voted, "**Aye**". **Motion carried.** A **motion** to approve the minutes of the Water Connection Meeting held on April 1, 2015, was made by Mr. Sernotti and seconded by Mr. Coles. On a **voice vote**, all members present voted, "**Aye**". **Motion carried.** A **motion** to approve the minutes of the Sewer Connection Meeting held on April 1, 2015, was made by Mr. Coles and seconded by Mr. S. Flancabaum. On a **voice vote**, all members present voted, "**Aye**". **Motion carried.**

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

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Mr. Theibault arrived at 10:02 A.M.

VI. Chief Financial Officer Report

1. Financial Results Review for April 30, 2015

The Authority's net position for period ending April 30th 2015 is \$1,577,172.00. We are \$279,000 ahead of budget through April. The April net budget is \$1,298,299.00. Revenues through April are approximately \$5 Million compared to a budget of \$4.6 Million which is favorable at \$365,000. No significant items of revenue other than the ongoing connection fees are driving the favorability in the operating revenue. The Authority's expenses are \$3.4 Million, slightly ahead of the budget. The expenses are \$86,000.00 higher than the budget. This is mainly driven by the Employee Sick Leave Buyback which was not budgeted for this year. That is around \$27,000.00. There were also higher snow removal fees. This was close to \$20,000 higher than budgeted. Senator Singer said that is \$47,000 where is the rest of the \$40,000. Mr. Rappoccio said the rest of the \$40,000 is spread across several lines. One item is bank fees which is \$2000 ahead of budget. Senator Singer questioned why the bank fees are so high. Mr. Rappoccio responded that the bank fees are transaction based. The authority gets charged significant transaction fees for wire transfers. Some banks charge up to \$50 per wire transfer. Senator singer asked Mr. Rappoccio to look into this and do some consolidation. That is a lot of money per month. Mr. S Flancbaum said that the Authority is substantial depositors in some of these banks. Shouldn't the authority receive some of these transactions free of charge? Senator Singer replied that wire transfers always have a charge. Mr. Rappoccio said that the authority has close to fifteen bank accounts. So if you add up all the monthly bank fees it adds up. Mr. Waxman questioned if there is a possibility of consolidating the banks. Mr. Rappoccio said it was discussed but he can take a harder look at it. Mr. S Flancbaum said to look at what the charges are for and some of these fees can be waived. Mr. J. Flancbaum said that the ammonia issue caused higher laboratory testing fees than in previous years. Mr. Rappoccio said that there was \$16,000 higher laboratory testing fees.

2. Motion to Approve Operating Vouchers

A new amended operating expense list was handed out. As of May 1, 2015, when the packets were sent out, the total operating expense was \$627,054.61. There are additional items with an amended operating expense total of \$838,070.38. That consists of three additional items with a change of \$211,015.77. Two items are within construction. Construction increased by \$198,466.77. One item is for Underground Utilities for the final phase for the New Hampshire Avenue Treatment Plant in the amount of \$186,766.00. There also is an additional invoice for T&M Associates for \$11,700 related to engineering services. The amended construction amount is \$426,776.14. There is one item added to the operating expenses for legal services rendered in the amount of \$12,549.00. Mr. Rappoccio would like to request a motion to approve amended operating total of \$838,070.38. A **motion** to approve amended operating expense was made by Mr. Coles, seconded by Mr. Sernotti. On a **voice vote**, all members present voted "**Aye**". **Motion passed.**

VII. Engineer's Report

1. Woodlake Pump Station Upgrade Analysis

- Resolution Awarding Professional Services Contract

With the idea that we may or may not build the entire sewer line to eliminate the pump station CME was asked to do an analysis for the Authority. There are two phases. One is short-term because if we wait one year it will need major improvements just to get us through and not blow up in our faces. CME was asked for two items, which they provided. One is for short term, what is needed to keep it running and the second is what would be needed to upgrade and hold it for the next twenty five years. CME was also asked for a supplement on this. They provided us with a proposal for \$18,400.00. They anticipate the supplement which will give us a lifecycle cost for the pump station so it can be compared to the construction costs of the trunk sewer. They estimate it is going to be around \$2600.00. They will submit it to us later and it will be brought to the commissioners' attention at next month's meeting. There will be a modification next month. Mrs. Lapa read **Resolution #15-49 Awarding Professional Services Contract Without Public Bidding Pursuant To N.J.S.A. 40A:11-4.1, Et Seq.** Motion was made by Mr. Coles, seconded by Mr. Waxman. On a **voice vote** all members present voted "**Aye**". **Adopted.**

2. Update of Rules and Regulations

- Motion Approving Addendum #12 to the Rules and Regulations
There was a detail for residential deep house connections. For commercial we want a six inch lateral and the detail did not cover it. So the detail was modified and a motion is needed to approve. **Motion** to approve addendum number 12 to the rules and regulations was made by Mr. Coles, seconded by Mr. Waxman. On a **voice vote** all members present voted "**Aye**". **Motion carried.**

3. Pine Street Construction of Production Wells

- Resolution Awarding Professional Services Contract
T&M Associates did not have surveying capabilities so the surveying was taken out of their contract. GTS Consultants gave the Authority a proposal for \$8,648.00 to do the surveying for the Pine Street well sites. Mrs. Lapa read **Resolution #15-50 Awarding Professional Services Contract Without Public Bidding Pursuant To N.J.S.A. 40A:11-4.1, Et Seq.** Motion was made by Mr. Coles, seconded by Mr. Waxman. On a **voice vote** all members present voted "**Aye**". **Adopted.** Senator Singer asked Mr. Morrill that in the future when these contracts are awarded, make sure that the awardee can do the whole job so it should not have to be broken up. Senator Singer said he is saying this only because if there is a problem, each party can say it is not their fault. Mr. Morrill said he was concerned. T &M Associates said that they wanted to give the surveying part to a contractor. Mr. Morrill said he does not want a contractor saying he made a mistake and then what does the Authority have to go back to.

4. Blvd of the Americas Office Building #1

- Resolution Granting Technical Approval
Technical approval would be contingent upon the items in the letter from GTS consultants dated March 27, 2015. Senator Singer said that this is the first building in Cedarbridge industrial Park. Mrs. Lapa read **Resolution #15-51 Grant Of Technical Approval Boulevard Of The Americas Office Building Number One.** Motion was made by Mr. Waxman, seconded by Mr. Coles. On a **voice vote** all members present voted "**Aye**". **Adopted.**

VIII. Attorney's Report

New Jersey Business Systems Litigation - Mr. Smith reported on the lawsuit. The judge ordered to have the mediation after June. The depositions will take place in May and June. The judge through in a kicker. The judge would like to have one day of a sort of exploratory mediation within the next week or two. Senator Singer asked who the judge on this case is. Mr. Smith said the judge's name is Judge Den Uyl. He has been on the bench the past few years in Ocean County. The judge wanted one mediation day before depositions just to see if a settlement is possible. Mr. Smith said he is obligated to do this. Senator Singer it will not happen, New Jersey Business Systems does not want to settle. Mr. Smith said he agrees with Senator Singer. Mr. Smith said the reason he does not want to do full mediation until after discovery is obvious. Mr. Smith does not want to say to the mediator he does not have all the facts yet. Senator Singer asked if Authority can sue for the attorney billing. Mr. Smith said no. It is not recoverable under law.

IX. Executive Director's Report

1. Resolution for Cell Lease Easement Purchase

A public auction was held on April 30, 2015. The sole bidder was SBA Site Management, which was the company that contacted us initially. They met our minimum bid criteria of \$425,000.00. They have also complied with the Authority's condition that all future revenues be split 80/20. This means 80% for the Authority and 20% going to SBA site management. Mr. Smith is in contact with their counsel. The deal should be finalized shortly. Mrs. Lapa read **Resolution # 15-52 Awarding Contract For Assignment Of Cell Tower Leases And Lease Hold Rights On The Ridge Avenue Water Storage Tank**. Motion was made by Mr. Waxman, seconded by Mr. Coles. On a **voice vote**, all members present voted, "**Aye**". **Adopted**. resolution number 15 – 52 awarding contract for assignment of cell tower leases and lease hold rights on the Ridge Avenue water storage tank. Motion was made by Mr. Waxman, seconded by Mr. Coles. On a **voice vote** all members present voted "**Aye**". **Adopted**.

2. Resolution Awarding Landscape Maintenance Contract for 2015 Season

A proposal opening was held on April 7, 2015. Two proposals were received. The first proposal was from A Touch of Landscaping from Washington Township, a company the Authority has not used in the past. Their price was for \$2,737.50 per month. The second proposal was received from Meticulous Landscaping of Forked River. They are the company that the Authority has been using over the last few years. Their price was \$3,285.00 per month. The difference is \$547.00 per month. The contract is anticipated to be for seven to eight months. The Authority has used Meticulous Landscaping the last three years. They have been extremely accommodating to us. The operations personnel are very happy with them. The company is a little cheaper but the Authority does not have any experience with them. Mr. Flancbaum said he is hesitant to get involved with a new company because we have no idea what type of service they will provide to us. Mr. Waxman questioned the price differential. Mr. Flancbaum responded the price difference is \$547 per month. Typically, the contract lasts between seven and eight months. The contract will last until the last of the leaves fall or December 15th whichever comes earlier. The difference between the two would be either \$3,800-\$4,300 for the entire season. Mr. Waxman said he is okay staying with Meticulous Landscaping if that is what Mr. Flancbaum recommends. Mr. Flancbaum said he recommends going with Meticulous Landscaping. Senator Singer handed over the gavel to Mr. Waxman. Mrs. Lapa read **Resolution #15-53 Awarding Contract For Landscape Maintenance**.

Motion was made by Mr. Coles, seconded by Mr. S Flancbaum. On a voice vote all members present voted “**Aye**”. Mr. Waxman said the record should reflect that Senator Singer did not participate. **Adopted.** Mr. Waxman handed the gavel back to Senator Singer.

3. Resolution Awarding Sewer Line Maintenance Contract

A proposal opening was held on April 7, 2015. One proposal was received from North American Pipe Line Services for \$1,500.00 per day. This is the price that the Authority typically pays. Mr. Flancbaum said he conducted a phone poll on April 7, 2015 and this resolution is ratifying the phone poll. Senator Singer had asked that at some point the Authority should take a look at the cost factor of what is being charged as opposed to owning its own vehicle and doing it themselves. If the Authority went that direction, Authority would share usage with the Township. Senator Singer asked how much is the anticipated amount of this contract? Mr. Flancbaum said this contract is for about \$27,000 for this year. Senator Singer said that as the Authority grows the cost will be more. This is a balancing act because the truck is expensive and you have to hire and dedicate a crew for the truck. Senator Singer would like Mr. Flancbaum to look into this to see if it makes sense. Mrs. Lapa read **Resolution #15-54 Awarding Contract For Sewer Main Maintenance.** Motion was made by Mr. Coles, seconded by Mr. Waxman. On a **voice vote** all members present voted “**Aye**”. **Adopted.**

4. Staff Update

Mr. Flancbaum wanted to give the commissioners an update of some transitioning that will be taking place over the next year to year and a half. The operations manager and field superintendent will be retiring over the next one to two years. A solid plan was devised to modify the current managerial structure. The current managers and the key personnel that are going to be involved are on board. Everybody is very excited, not about the managers leaving, but about the transitioning and some new things that will be doing. We have already transferred oversight and signed responsibilities of the sewage collection system and the pump stations from Mr. McGregor to Mr. Harry Robbins. Mr. Robbins has the appropriate licenses and that is his specialty. We have also started the process of shifting responsibilities on the water treatment and water distribution to Mr. Fred Diaz. Mr. McGregor and Mr. Terry are working closely with Mr. Diaz to ensure that he familiarizes himself with the day to day operations and also with the daily and monthly reporting obligations to the DEP. As soon as Mr. Diaz has the licenses, the signing of the distribution of the treatment system will be given to him. The plan is for Mr. Diaz to be the signing operator for the treatment and distribution system and to have Mr. Robbins as his backup. Mr. Robbins who is already the signing operator for the collections and the pump stations will have Mr. Diaz as his backup. Mr. Robbins will also be the authority’s representative on all the developer/construction projects and the capital improvement projects. Until now Mr. McGregor has handled all these tasks, but the Authority has grown too big to have one person handle everything.

Secondly the Authority is in the process of vetting companies who will be able to rely on for improvements and overall maintenance to our SCADA system. The Authority on that end also has become too big to rely on one individual. The current consultant is working with our in-house staff to make sure that before he leaves they will be able to handle the day to day maintenance and operations of the system. We are looking for one company that will oversee it so that when a large project is needed to be done or there is a major

issue, they will be able to come in and help us. Once the current consultant leaves Authority will be looking to hire more people in that growing Department. The Authority started to vet some companies and came up with small projects that can be worked on as opposed to starting in the treatment plants. They can start in the well houses and we hope to get that starting soon, over the next two months or so.

Mr. Flancbaum said that a new hire was found for the Operations Department. The background screening and pre-employment physical were ordered. Senator Singer said that he is a veteran. Mr. Flancbaum said that he is also a local. We hope to have the new employee on board in a couple of weeks.

Senator Singer told Mr. Flancbaum that we would like to bring aboard another employee in the CFO's Department in the next year or so. Perhaps we can find someone with a SCADA background for the IT Department. Also we need to start on the reorganization of Ms. Gaynor's customer service staff. Next year the Authority will start construction as the Authority needs more space. The front office space area is fine for the customer service department but it is not sufficient for the CFO's department. There will also be growth in the IT Department. Let us get the plans started and the budget for the additional staff. The SCADA situation is very critical. The Authority has been very fortunate with a consultant. He will be retiring in the near future. Let us look for an outside contractor. When a search is done for new employees perhaps we can find someone with SCADA background. The billing department has become more caught up and is running seamlessly but we need another person.

Senator Singer said he discussed having a sign with Mr. Flancbaum. Senator Singer thinks the Authority really needs one. It is needed for general notices, when there is flushing or a boil water advisory is in place. In the summer time if there is a water shortage we can tell the customers to conserve water. The cost for the sign is approximately \$20,000.00 but it is a one-time expense. Senator Singer said the Blue Claws should be approached and asked if the Authority can use their sign on an emergency basis. Mr. Coles said that they would probably let the Authority use their sign.

Senator Singer said that Mr. Jack Mueller informed him that he bought a property on Pine Street that will have forty four units besides the seventy four.

Senator Singer asked Mr. Flancbaum the status on the solar panel project. Mr. Flancbaum said that the bid opening will take place on May 19, 2015. Senator Singer asked to make sure that it does not become an eyesore. Maybe some trees can be planted, but it should not block the sun. Or perhaps a fence can be put there. Mr. Morrill said it will be fenced and perhaps low ornamental trees can be planted. Mr. Flancbaum said that there was great interest in this project. Eight to nine companies came for the pre-bid walk-through.

Mr. Flancbaum said that the bid for the demand response was held and there was no response. Jackson Township MUA also had a bid and there was no response. The consultant said that this is not the season for it. Mr. Flancbaum said that the Jackson Township MUA might go out to bid again in June or July. Mr. Flancbaum will keep in contact with them and see what everyone else is doing. Mr. Waxman asked if the

Authority can bid together with Jackson to make the package more attractive. Mr. Smith said it could be done. There is a procedure for it. Senator Singer said to look into it.

X. Instrumentation/IT Department Report

1. Shorrock Street WPT Transmitters and Gauges

All of the pressure transmitter and gauges at the Shorrock Street Water Treatment Plant have now been replaced with new Rosemount and Wika Brands respectively. They are now the exact equivalent to those at the New Hampshire Avenue Plant. Now that we have universal equipment spare parts can be kept on hand.

2. Shorrock Street WPT High Voltage Switchgear Maintenance

We now have the Shorrock Street Water Treatment Plant's electrical room isolated from any outdoor issues such as pollen infiltration into our electrical systems and we also have the room mechanically cooled as well. The next and final step for this area is to have our high voltage switchgear maintenance performed by a company that specializes in this work. I have vetted out three such companies and have contracted J.G. Electrical Testing Corporation located in Tinton Falls New Jersey. They will inspect, test, clean and certify all of our gear. Through my past experiences, I have found that this is a very necessary exercise when facilities electrical switchgear is getting to be about 10 years old and start to exhibit certain audible behaviors from its switchgear as is ours. This will certainly aid us in the prevention of a future major electrical failure.

3. Facilities Electric Energy Savings Investigation

We had a meeting with Adirondack Energy, a firm that installs electronic hardware monitoring equipment on clients' heavy electrical consumption devices such as pump motors. Through these devices they are able to fine tune the voltage to the devices in a way that there is no wasted power that we and other customers currently pay for. With that, the company said we may realize substantial savings on our power bills. Their engineer will be coming back out to our site on May 7, 2015 in order to hook up an analyzer to some of our larger loads. This will give us an actual account on power savings and allow us to make an informed decision as to whether this will work for us or not. This action will be of no cost to the Authority.

4. Well #19 Status

Well No. 19 electric and SCADA is up and running and the well is now ready for operation and production. There are a couple of minor little bugs that are being taken care of today. After Operations run the well overboard, we will be able to have production out of the well.

5. Radio/Antenna Rehab Update

Radio and antenna installation is awaiting the final engineering arrangements to be set forth regarding the reworking of the mounting brackets for the New Hampshire Avenue and Beacon Hill Tanks. We are making certain that any welding, touch up painting and subsequent inspections are carried out properly prior to proceeding with installations. The radio contractor is in continuous communication with their engineer and the Authority. Geo soil bore testing is set for this morning, and they are on site now, at the Shorrock Street proposed tower site. This was delayed because the testing company had to have its own set of mark outs to make sure the drilling is safe. Now we can move forward with the antenna towers.

6. IT Department Activities Update

On the IT side, the coordinator is continuing to work closely with the radio contractor Lets Think Wireless developing our networking infrastructure as to how it will handle our communications.

Phase One of the security implementations is completed with respect to PC password changes that occur every three months. Fire protection at New Hampshire Avenue buildings are now fully monitored with the security following very shortly. Mr. Farina sees the men on-site working as the meeting is taking place.

DATA disaster recovery plan development is under way.

The Website Alert System is complete with very little debugging left to be performed.

IT service agreements are complete with the exception of the phone system as we are reaching out to the manufacturer of the phone system for additional reputable service providers. Hopefully we will have a decision on that shortly.

GIS implementation is in progress with about fifty percent of the task completed.

The Computerized Maintenance System is almost complete and ready to be rolled out as we now have our new Emaint account manager up to speed with our project.

The HR and Payroll Human Resource Management System is in progress as we are working with our CFO, Mr. Rappoccio, and have reviewed four vendor proposals and hope to make a decision later this month.

XI. Commissioners' Report

Senator Singer had a meeting this past week with New Jersey American Water Company. Mr. Flancbaum, Mr. Morrill and Mr. Smith were also present at this meeting. The Authority is having trouble with them as to exactly where the Authority comes in contact with them as to whose service area it is. Mr. Smith was excellent. Mr. Smith said that it states in the Authority charter at any place authority wants is our service area. There are a few areas in dispute that cropped up. Some customers said that they do not want to pay the Authority's fee and they will go to New Jersey American Water Company. Senator Singer said that that is not the customer's option. The customer was informed that if he would like he can have well and septic. New Jersey American Water Company submitted to the Authority a map where they thought their areas were and where the Authority's area and what areas were in dispute. Mr. Morrill is looking at the map with Mr. Ponsi. Senator Singer said that the Authority's major concern is the Authority needs to make sure that the system is working properly and not dead end. It is a work in progress and the commissioners will be kept updated. There are two areas that are in dispute. One area is on the Route 70 corridor by the flea market. This area is right across and adjacent to the Authority's area. This is the area by the Wawa. New Jersey American Water Company is on the other side by Finnegan's. The second area in dispute is by County Line Road near Brook Road. The Authority has water and sewer right in front the site. Mr. Waxman asked why would we let them do it. Senator Singer said first we are trying to be nice about this issue. It was a nice meeting. New Jersey American Water Company had their attorney present and the Authority had Mr. Smith present.

Senator Singer said he thinks that there will be a compromise at the end. We know what we want and Mr. Morrill knows what needs to be done. It is not a lot in dispute, it is just a few minor things. Senator Singer said honestly someone else is driving this train and he is not quite sure who it is. From the builder's standpoint it will cost less with New Jersey American Water Company because he recoups money back as they build things up. But it is more expensive for the customer. If the flea market area is not in the Authority's service area, they will question why their water bills are higher than the next-door neighbor. We have to be able to say why. These are ramifications New Jersey American Water Company does not understand. Their rates are forty percent higher than the Authority's rates. Senator Singer told Mr. Smith to keep this in mind. This is a legitimate issue. Mr. Waxman said the Authority is a public agency. Senator Singer said that the Authority is a nonprofit has an advantage over New Jersey American Water Company. Senator Singer said that before an agreement is signed, the commissioners will be shown the plans and approve them.

Senator Singer asked Mr. Theibault if there is any update with the trees from the Township. Mr. Theibault said nothing yet. Senator Singer said that the Authority could use a lot of them.

XII. MEETING OPEN TO THE PUBLIC

There was no response from the public.

XIII. MEETING CLOSED TO THE PUBLIC

Mr. Waxman wanted to clarify an item with the Operating Vouchers. His company is going to be listing the property of Mohel Elliot Bauer and Gass. Mr. Waxman wanted to know if that vote can be redone. Senator Singer suggested that from now on the Operating Vouchers should be done by vote and not consent. It will be easy if someone needs to abstain. Also, if there are certain known factors, for example anything dealing with the Township, Mr. Coles has to abstain. This way the vouchers can be approved with the abstentions noted. Mr. Waxman said he would like to abstain on any voucher pertaining to Mohel Elliot Bauer and Gass. Mr. Smith said that there is actual conflict and there is the appearance of conflict and they both have negative consequences. Senator Singer asked if the vote on the Operating Vouchers can be amended and voted upon again with Mr. Waxman voting yes with the exception of abstaining on any vouchers pertaining to Mohel Elliot Bauer and Gass. Mr. Waxman said that Mr. Sernotti will also have to abstain. Mr. Smith was okay with it. Based on this discussion Senator Singer asked for another motion to approve the Operating Vouchers. A **motion** was made by Mr. Coles, seconded by Mr. S. Flancbaum. On a **voice vote** all members present voted "**Aye**" with the record reflecting the abstention of Mr. Waxman and Mr. Sernotti on the any voucher pertaining to Mohel Elliot Bauer and Gass. **Motion carried.**

Mr. Theibault said that the June meeting falls on Primary Day. Senator Singer said that the Township does not have off on Primary Day only Election Day. The meeting will be held on the first Tuesday, June 2nd.

XIV. ADJOURNMENT

A motion was made by Mr. Waxman, seconded by Mr. S. Flancbaum to adjourn meeting. On a **voice vote**, all members present voted, "**Aye**". The meeting was adjourned at 10:42 A.M.

Respectfully submitted,

Nechama Lapa,
Secretary, LTMUA