



Board of Commissioners
Senator Robert Singer, Chairman
Mayor Raymond Coles, Vice Chairman
Craig Theibault, Treasurer
Anne Fish, Assistant Secretary
P. G. Waxman, Commissioner
Samuel Flanbaum, Alt. Commissioner
Meir Lichtenstein, Alt. Commissioner

THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

October 8, 2019

- I. Senator Singer opened the meeting at 10:03 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 19, 2019 and The Tri Town News on February 20, 2019.
- III. **Salute to the Flag**
- IV. **Roll Call of Commissioners**
On roll call the following Commissioners were present: Mr. Lichtenstein, Mr. S. Flanbaum, Mr. Theibault, Mr. Waxman and Senator Singer. Mr. Lichtenstein and Mr. S. Flanbaum were seated as alternates. The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq., Mr. Gerwin Bauer, Auditor, Mr. Justin Flanbaum, Executive Director, Mr. Daniel Rappoccio, CFO, Mr. Colin Farrell, CEng MIEI, Director of Engineering, Mr. Adam Ponsi, P. E., Mr. Robert Farina, Director of Operations and Mrs. Nechama Lapa, Secretary.
- V. **Minutes**
A **motion** to approve the minutes of the Regular Meeting held on September 10, 2019, was made by Mr. Lichtenstein and seconded by Mr. Waxman. On a **voice vote**, all members present voted "**Aye**". **Motion carried.**
- VI. **Chief Financial Officer Report**
 1. **Financial Results Review For Period Ending September 30, 2019**
The Authorities net position for the period ending September 30, 2019 is approximately \$2.6 Million which is approximately \$349,000.00 ahead of budget. The Authority's operating revenue is approximately \$9.6 Million which is approximately \$456,000.00 ahead of the budget. This continues to run favorable and is being driven by the water and sewer service charges and efficiencies in the automated billing system. There are also non-recurring connection fees. The Authorities expenses are approximately \$6.9 Million and are approximately \$100,000.00 over budget. This is being driven mainly by

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

390 NEW HAMPSHIRE AVENUE, LAKEWOOD, NEW JERSEY 08701
PHONE (732) 363-4422 | FAX: (732) 905-0712 | WWW.LAKEWOODMUA.COM

engineering costs to satisfy ongoing water allocation requests from the DEP. With eleven months of the fiscal year gone, the Authority is right online with the budget. Expenses were managed well this year and revenues came in a little higher than anticipated.

2. Motion to Approve Operating Vouchers

Mr. Rappoccio provided the commissioners with a list of abstentions. There is one additional item to the vouchers in the amount of \$5,149.00 for the Authority attorney. The amended amount for the Operating Expense Vouchers is \$662,556.92. A **motion** to approve operating vouchers in the amended amount of \$662,556.92 was made by Mr. Theibault, seconded by Mr. S. Flancbaum. On **roll call**, all members present voted, "Yes" with **noted abstentions. Motion Carried.**

3. Resolution to Accept 2020 Water/Sewer Budget Extension

The Authority is requesting an extension. The Budget will be presented at the next board meeting. Mrs. Lapa read **Resolution No. 19-93 2019-2020 Water Sewer Budget Extension.** Motion was made by Mr. S. Flancbaum, seconded by Mr. Waxman. On **roll call**, all members present voted "Yes". **Adopted.**

4. Resolution for Health Benefits

Open Enrollment for health benefits is going on now. Everyone should have received an email with information. A resolution needs to be passed for the Omnia Plan that is being offered by the State again. A resolution was passed other years, but the State mandates a resolution be passed now since we are going to be offering this plan again. Senator Singer said that there is a monetary benefit for the employee, but it limits which hospitals you can go to. Mr. Rappoccio said there will a time set up over the next two weeks for questions from employees. The commissioners will also be informed of the session. Senator Singer said to contact the State regarding telemedicine. It is an excellent tool. If you are not feeling well and cannot get to the doctor right away, you can video call a doctor on your phone anytime amongst other ways of communication with a doctor anytime. Mrs. Lapa read **Resolution No. 19-94 Local Employers To Offer A Modified Incentive Under The State Health Benefits Program.** Motion was made by Mr. Waxman, seconded by Mr. S. Flancbaum. On a **voice vote**, all members present voted "Aye". **Adopted.**

VII. Engineer's Report

Mr. Ponsi's Report

1. Update of Rules and Regulations

- Motion Approving Addendum No. 34

The Authority needs to update requirements for minimum separation from Authority owned, operated and maintained utilities from other utilities. At this time the Authority may approve Addendum No. 34 to the Rules and Regulations to update requirements for minimum separation from Authority owned, operated and maintained utilities from other utilities. A **motion** to approve Addendum No. 34, was made by Mr. Waxman and seconded by Mr. Theibault. On **roll call**, all members present voted "Yes". **Motion carried.**

2. Bids for Chemicals and Cold Water Meters for Calendar Year 2020

- Motion Authorizing Issuance of Notice to Bidders

At this time the Authority may authorize the issuance of the notice to bidders for the purchase of hydrated lime for the calendar year 2020. A **motion** to authorize the issuance of the notice to bidders for the purchase of hydrated lime for the calendar year

2020 was made by Mr. Lichtenstein and seconded by Mr. Waxman. On a **voice vote**, all members present voted “**Aye**”. **Motion carried.**

3. Airport Road Medical Building (TMV 70, LLC – Randy Talamayan)

- Resolution Approving Terms of Developer’s Agreement

On September 25, 2019 a meeting was held at the Authority to discuss terms for the Developer’s Agreement for the project. The specific terms agreed to at the meeting is that the Developer agrees to make changes to the water services and provide meter pits for the two existing buildings onsite and the Authority agrees to provide a credit against connection fees for the cost of the work necessary to modify the existing services. At this time the Authority may accept the terms of the Developer’s Agreements as described. Mrs. Lapa read **Resolution No. 19-95 Authorizing the Execution Of The Developers Agreement Airport Road Medical Building.** Motion was made by Mr. Waxman, seconded by Mr. S. Flancbaum. On **roll call**, all members present voted “**Yes**”. **Adopted.**

4. Locust Street Center (Locust Equities, LLC – Joseph Kaufman)

- Resolution Approving Terms of Developer’s Agreement

Mr. Waxman and Mr. Lichtenstein said they will not be voting on this agenda item. On September 26, 2019 a meeting was held at the Authority to discuss terms for the Developer’s Agreement for the project. The Developer agrees to pay a fair share contribution towards improvements to the Authority’s regional water system improvements at \$125.00 per EDU. The Authority agrees to provide a credit against connection fees for the cost of the work necessary to modify the water services and install meter pits for the existing buildings. At this time the Authority may accept the terms of the Developer’s Agreements as described above. Mr. Theibault asked where this project on Locust Street is located. Mr. J. Flancbaum said it is across from Locust Grove right next to the park. Mr. Theibault said then it is not Locust Grove. Mr. J. Flancbaum said it is not. Mrs. Lapa read **Resolution No. 19-96 Authorizing the Execution Of The Developers Agreement Locust Street Center.** Motion was made by Mr. Theibault, seconded by Mr. S. Flancbaum. On **roll call**, Mr. S. Flancbaum, Mr. Theibault and Senator Singer voted “**Yes**”. Mr. Lichtenstein and Mr. Waxman abstained. **Adopted.**

5. 780 Vassar Avenue School Addition (Yeshivas Ohr Hatorah – R’ Londinski)

- Resolution Authorizing Executive Director to Endorse Applications

At this time the Authority may authorize the Executive Director to endorse the OCUA applications for the 780 Vassar Avenue School Addition project. OCUA approval is required due to the proposed development generating over 2,000 gallons per day of sanitary sewer flow. Mrs. Lapa read **Resolution No. 19-97 Authorizing The Executive Director To Endorse Applications 780 Vassar Avenue School Addition.** Motion was made by Mr. Waxman, seconded by Mr. Lichtenstein. On **roll call**, Mr. Lichtenstein, Mr. S. Flancbaum, Mr. Waxman and Senator Singer voted “**Yes**”. Mr. Theibault abstained. **Adopted.**

6. Locust Street School No. 1 (Congregation Yeshiva Mkor Chaim, Inc – Abe Auerbach & Rabbi Paller)

- Resolution Authorizing Executive Director to Endorse Applications

At this time the Authority may authorize the Executive Director to endorse applications for the Locust Street School No. 1 project. OCUA approval is required due to the proposed development generating over 2,000 gallons per day of sanitary sewer flow. Mrs. Lapa read **Resolution No. 19-98 Authorizing The Executive Director To**

Endorse Applications Locust Street School No. 1. Motion was made by Mr. S. Flanbaum, seconded by Mr. Lichtenstein. On **roll call**, Mr. Lichtenstein, Mr. S. Flanbaum, Mr. Waxman and Senator Singer voted “**Yes**”. Mr. Theibault abstained. **Adopted.**

Mr. Farrell’s Report

7. Competitive Contracting for Water Testing Services for Calendar Year 2020

- Motion Authorizing Issuance of Request for Proposals
Request for proposal documents are being updated. The request for proposals will be posted on the Authority website in accordance with the requirements of the Pay to Play regulations. At this time the Authority may authorize the issuance of the request for proposals for water testing services for the calendar year 2020. A **motion** to authorize issuance of request for proposals for Water Testing Services for Calendar Year 2020 was made by Mr. Waxman and seconded by Mr. Lichtenstein. On a **voice vote**, all members present voted “**Ayes**”. **Motion carried.**

8. RFQs for Engineering Services for Calendar Year 2020

- Motion Authorizing Issuance of Request for Qualifications
Updated documents will be sent to perspective engineering firms that were approved last year. Documents will be posted on the Authority website and in newspapers in accordance with the requirements of the Pay to Play regulations so the documents received will be considered as fair and open. At this time the Authority may authorize the issuance of the Request for Qualifications for Professional Engineering Services for the calendar year 2020. A **motion** to authorize issuance of request for qualifications for Engineering Services For Calendar Year 2020 was made by Mr. Theibault and seconded by Mr. Lichtenstein. On a **voice vote**, all members present voted “**Ayes**”. **Motion carried.**

9. Video Surveillance and Security

- Resolution Awarding Change Order No. 1
On September 23, 2019 the Authority received change order request no. 1 from Maser Consulting for additional engineering services necessary due to the Authority’s request to add additional cameras to the project scope in the cost not to exceed amount of \$12,250.00. At this time the Authority may award change order no. 1 to Maser Consulting for additional engineering services in the cost not to exceed amount of \$12,250.00. Mrs. Lapa read **Resolution No. 19-99 Awarding Change Order No. 1 Video Surveillance And Security.** Motion was made by Mr. Theibault, seconded by Mr. S. Flanbaum. On **roll call**, all members present voted “**Yes**”. **Adopted.**

10. PFAS Planning Study

- Resolution Awarding Professional Services Contract
In September 2019 the Authority requested a proposal from Mott MacDonald to provide a Per- and Polyfluoroalkyl Substances (PFAS) planning study. This study is necessary to prepare for the New Jersey Department of Environmental Protection (NJDEP) issuing maximum contaminant levels (MCLs) to regulate perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) in drinking water. On October 2, 2019 the Authority received a proposal from Mott MacDonald to perform the PFAS planning study in the lump sum amount of \$67,000.00. At this time the Authority may award a professional services contract to Mott MacDonald to perform the PFAS planning study in the lump sum amount of \$67,000.00. Senator Singer said that this is a very involved study and this is the State EPA regulation. Mr. J. Flanbaum this includes both treatment plants sites and well sites. Mrs. Lapa read **Resolution No. 19-100 Awarding Professional**

Services Contract Without Public Bidding Pursuant to N.J.S.A. 40A:11-4.1 Et. Seq.
Motion was made by Mr. Theibault, seconded by Mr. S. Flancbaum. On **roll call**, all members present voted "**Yes**". **Adopted**.

11. Portsmouth Drive & Thornbury Court Sewer Replacement Project

Resolution Awarding Professional Service Contract

This is a professional service contract for Morgan Engineering and Surveying in the amount of \$13,000.00. This is for a sewer replacement project. At this time the Authority may award a professional services contract to Morgan Engineering and Surveying. Mrs. Lapa read **Resolution No. 19-101 Awarding Professional Services Contract For Portsmouth Drive And Thornbury Court Sewer Replacement Project**. Motion was made by Mr. Waxman, seconded by Mr. S. Flancbaum. On **roll call**, all members present voted "**Yes**". **Adopted**.

VIII. Attorney's Report

Senator Singer asked Mr. Pfeffer if there is an update with Mike Gross and the well application. Mr. Pfeffer said he has been following up with emails. Mr. J. Flancbaum said that a revised application was submitted to the DEP in the beginning of the year. The Authority received a technical deficiency letter from the DEP around four weeks ago. Some conversations were had with the DEP about the alleged technical deficiencies. A draft response is being prepared for the DEP and Mike Gross will follow up with the process. Senator Singer said that this is dragging on and every time we turn around there is another glitch. Senator Singer offered that if a meeting is needed with the commissioner, he will arrange it. Also they need to be put on notice that this has got to come to an end. The Authority is spending a lot of money on this and it is the rate payers' money. If we need, we can get the BPU involved. Something is wrong. We have seen in the past that the DEP has protected other Authorities over us. Mr. Pfeffer said he will reach out to Mike Gross and see how he wants to proceed. Senator Singer said if need be, we can go to court for a Motion to Show Cause. Mr. J. Flancbaum said we will respond to the technical deficiency letter. Senator Singer said that this needs to be the last thing. The DEP is nitpicking. Mr. Pfeffer said he will follow up.

IX. Executive Director's Report

1. New Jersey Utility Authorities Joint Insurance Fund- Loss Control Report

A survey of our all our buildings at 390 New Hampshire Avenue was conducted by the JIF on August 19, 2019 to review our safe and health programs. The inspector noted that all facilities were very clean and well organized and that there are no new or outstanding suggestions for improvement. A special thanks to our operations management team for working hard to ensure the safety of our employees. It is noted by our insurance carrier.

2. Tax Sale Results

We started collecting for tax sale on July 22nd with 605 delinquent accounts amounting to a little over \$306,000.00 outstanding. The Authority collected a little over \$250,000.00 plus interest. As of October 3rd, the day of the Tax Sale, there were only 102 properties with a total balance of approximately \$54,000.00 that were sent to Tax Sale. A check from the Township is expected shortly. Special thanks to Ms. Gaynor and her staff for an excellent job during tax sale season and to Ms. Effie Presley the Township Tax Collector and her staff for their continued cooperation and assistance. Mr. Waxman suggested a letter should be sent to her thanking her. Mr. J. Flancbaum said he will. Senator Singer said that this is such a benefit to the Authority. If not for this income,

there would need to be a rate increase. The Tax Sale eliminates shutting off customers and all the issues that come with it. Mr. S. Flancbaum asked how many accounts the Authority has. Mr. J. Flancbaum said approximately 10,500 with about 9800 residential accounts.

3. Resolution awarding contract to Jey Furniture for purchase and installation of office furniture

The Authority received a proposal from Jey Furniture in the amount of \$33,100.00. We actually received two proposals. We received one from Shuster's Furniture. Their proposal was significantly higher; it was a little over \$45,000.00. Mr. J. Flancbaum said he is looking into financing for these types of purchases as opposed to paying for them outright. This will most likely be financed over a period of five to six years. In general, some of the larger equipment purchases will be financed. Mrs. Lapa read **Resolution No. 19-102 Awarding A Contract For The Purchase And Installation Of Office Furniture**. Motion was made by Mr. S. Flancbaum, seconded by Mr. Lichtenstein. On roll call, all members present voted "Yes". **Adopted.**

X. Technical Operations Report

Field Operations Report:

1. Shorrock Street well field water main flush results

The Operators flushed the Shorrock Street well field water main with a chemical wash that produced a substantial amount of iron debris removal. We are going to make this environmentally friendly chemical wash part of our yearly flushing of the main. This will prolong the life of the pipe and mitigate permanent build up.

2. New valve/excavator truck status

The Authority's new valve exercising/hydraulic excavator vehicle is currently at the New Jersey fabricator having the equipment installed on the chassis and tested. We expect receipt of the vehicle by months end.

3. Operations new personnel report

We have hired one Water Treatment Operator and two laborers. As of this morning two have passed both background and pre-employment physical testing. HR is going to set them up with a start date. We hope to receive the results back for the third worker by the end of the week.

4. Well No. 2 report

We scheduled the well driller to pull the Well No. 2 pump and motor in order to examine and video the gravel packing and column of the well to insure it is adequate and there are no current issues brewing with it. This is to avoid an eruption of the pack that occurred many years ago rendering the well inoperative and resulting in a major rehabilitation of the well. However, significant buildup was discovered on the column walls and there is concern that mechanical cleaning at this time may cause damage to the column due to its age. We will be engaging a consultant to determine if a redevelopment of the well or a re-drill is most prudent.

Technical Operations:

5. S.C.A.D.A. Main CPU Status

The three main CPU's for the Authority's SCADA System were replaced by new units with a much smaller footprint and more power. This was necessary due to the lack of hardware support because of the age of the units and sporadic failures. This work was performed and completed by the Authority's IT Department.

IT Department:

6. Phone system report

We are in the process of upgrading our phone system in order to get another five plus years out of it. The upgrade will give us voice over IP and video conferencing capabilities in the new Administration space and eventually we will upgrade the rest of the Administration building as well.

7. 2019 Server upgrade status

The 2019 server upgrades has begun resulting with the Engineering Department having more than enough of available disk space.

8. Phone/Data/Network in New Admin. Status

We are in the process of preparing the data network infrastructure in order to connect and accept the new Administration addition's voice and data networks onto the primary.

GIS Department:

9. Valve data status

We are continuing to work on QA/QC of valve data. Making sure all the data going in is accurate and of use in the future.

10. Engineering and Operations support status

We are giving continued support to Engineering and field operations personnel.

Senator Singer asked if he has a number yet of how many hydrants have to be replaced. Mr. J. Flanca said about a dozen are being replaced. Senator Singer asked if Mr. Robbins can discuss the accident last week in which an employee was hit by a car. The employee is fortunately okay. Mr. Robbins said that this specific employee was trained through experienced personnel, as we do with the mark out training. They have a little class and the experienced guys take out the new guys to show them what to do. Unfortunately with this particular accident, there was certain safety equipment that was not where it should have been. This employee was doing a mark out and had his back turned and someone came around the bend and clipped him. Mr. Robbins said he spoke with him late yesterday afternoon. He is feeling well but he is sore. He went for x-rays yesterday afternoon. He was to call Qual-Lynx, our workers comp insurance company. Today he has an appointment around now and he has a follow up appointment with the doctor to review the x-rays. We have revised the SOP as far as doing mark outs. Step one is make sure your truck is parked where it is supposed to be with the lights on. Step two is put cones out and so on and so forth. Everybody has received a copy of the revised SOP. Senator Singer asked if the driver got a ticket. Mr. Robbins said he does not know. We have the case number and we will get the police report. Senator Singer said we have to presume there was some fault by the driver. Mr. Robbins said yes there was. Senator Singer said he hopes this is a good learning experience. Unfortunately, accidents cause a great learning experience even if it was the other persons fault. Mr. Lichtenstein asked if the commissioners should send him get well wishes. Senator Singer said yes we can. Something was sent to his house and he spoke to him on behalf of all the commissioners.

XI. Commissioners' Report

Senator Singer told Ms. Gaynor that he heard she stayed late the other night, it is very much appreciated.

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

A **motion** was made by Mr. Waxman, seconded by Mr. Theibault to adjourn meeting. On a **voice vote**, all members present voted, "**Aye**". The meeting was adjourned at 10:39 A.M.

Respectfully submitted,

Nechama Lapa,
Secretary, LTMUA