



Board of Commissioners

Senator Robert Singer, Chairman

Mayor Raymond Coles, Vice Chairman

Craig Theibault, Treasurer

Anne Fish, Assistant Secretary

Yocheved Miller, Commissioner

Samuel Flancabaum, Alt. Commissioner

Meir Lichtenstein, Alt. Commissioner

THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

November 8, 2023

- I. Senator Singer opened the meeting at 10:000 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: Mrs. Miller, Mayor Coles, Mr. S. Flancabaum, and Senator Singer.
The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq., Mr. Gerwin Bauer, Auditor, Mr. Justin Flancabaum, 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 October 11, 2023, was made by Mayor Coles and Mr. S. Flancabaum. On **roll call**, all seated members voted **“Yes.”**
Motion carried.

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

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VI. Chief Financial Officer Report

Given by Mr. Donald Sondak, CFO/Human Resources Director

1. Resolution for Acceptance of the 2022 Audit

The Authority's Board of Commissioners has received a copy of the final 2022 Audit report prior to this meeting in the Board Packet.

Today we have a resolution for Acceptance of the 2022 Audit. Mr. Sondak turned the conversation over to the Authority's CPA, Mr. Bauer, to present the Auditor Findings and Opinion.

Mr. Bauer reported that he has gone over the audit and it's come very close in line with what Mr. Sondak has represented for the previous year. We did have a positive adjustment of the actuarial plan of half a million dollars and that's when the stock market was booming. We were under budget for the fiscal year. The Board was sent a report that needs to be read and a group affidavit that needs to be signed. What you're signing is the report on internal controls over financial reporting. Quoting from the report, "your audit we did not identify any deficiencies in the internal control that we considered to be a material weakness." You are required to read this and sign off as a group. Mr. Bauer explained that the other element of the opinion letter is reporting compliance. And the results of the tests disclosed no instances of non-compliance or other matters that would be required to be reported to the government auditing standards. This is also what you will be signing off on. Financially we are very strong going forward.

- **Resolution No. 23-103 Accepting the 2022 Audit**

Motion was made by Mayor Coles seconded by Mr. S. Flancbaum. All Board members are required to vote. On **roll call**, all members voted "**Yes.**" **Adopted.**

2. Resolution Amending Borrowing for GAC Buildings & GAC Wells

The Board has previously passed resolutions for both short-term and long-term funding for both projects. Since that time, we have received bids for the GAC Buildings and find that we need to amend our borrowing resolutions with an increase of \$1.6 million related to the GAC Buildings and 100k for GAC Wells (from \$13.5M to \$15.2M). This single resolution will update all previous resolutions.

Senator Singer asked why we have to increase the amount. Mr. J. Flancbaum explained that the bids for the two big projects came in at a combined 10.7 million dollars. The engineers estimate prepared by Remington & Vernick came in closer to 10 million dollars. There were some items that were added to the plans due to request of Ocean County Soils and the price of the vessels went up a bit. The electrical work inside the building came in higher than estimated as well. Then we had Owen Little to take another look at their engineers estimate and redo it which is how we came up with the higher number of 15.2 million dollars. We wont necessarily borrow all the money, we just wanted to make sure the money is there if needed.

- **Resolution No. 23-104** Amending Borrowing for GAC Buildings & GAC Wells

Motion made by Mayor Coles and seconded by Mr. S. Flancbaum. All Board members are required to vote. On **roll call**, all members voted **“Yes.” Motion carried.**

3. **Motion to Approve Operating Voucher**

The Operating Voucher in your Board Packets is \$1,403,322.31.

There were no unexpected expenditures to note, but included on the list is the quarterly OCUA estimate of \$636,142.50. Also included on this list are ARP funded Construction costs of \$105,676.71 for which we have been funded with ARP money by Lakewood Township.

I recommend that the board approve the Operating Voucher at \$1,403,322.31, with noted abstentions.

Motion made by Committeeman Lichtenstein and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes.” Motion carried.**

VII. **Engineer’s Report**

Given by Mr. Adam Ponsi, P.E.

1. New Hampshire & Route 70 74 Unit Development (*Owner/Developer: New Hampshire 54, LLC – Yehuda Dachs*)

November 2, 2023 the Authority issued performance guarantee reduction letter #2 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 detailing in the Authority’s November 2, 2023 letter.

- **Resolution No. 23-105** Reducing Performance Guarantees New Hampshire & Route 70 74 Unit Development

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

2. Lake Terrace Change of Use (*Owner/Developer: KBS Mt. Prospect, LLC – Mordechai Sternstein*)

October 18, 2023 Morgan Engineering issued commercial/industrial review #1.

At this time the Authority may authorize the Executive Director to endorse applications for the Lake Terrace project. OCUA & TWA approvals are required due to the proposed development generating over 8,000 gpd of sanitary sewer flow.

- **Resolution No. 23-106** Authorizing Executive Director to Endorse Applications

Motion was made by Mayor Coles and seconded by Mr. S. Flancbaum. On **roll call**, Senator Singer abstained. All other seated members voted “**Yes**”. **Adopted.**

3. Evergreen Blvd Development (*Owner/Developer: Vermont Equities, LLC – Jacob Lipschitz*)

October 31, 2023 the NJDEP issued a 1 year time extension for the TWA permit for the project. At this time the Authority may grant final approval for the Evergreen Boulevard Development conditioned on the GTS Consultants letter dated March 28, 2023.

- **Resolution No. 23-107** Granting Final Approval for Evergreen Blvd Development

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

4. Lanes Mill Road School #6 (*Owner/Developer: Aderes Bais Yaakov, Inc – Gil Frieman / GC: Regency Development – Abe Auerbach*)

October 26, 2023 the Authority modified the terms of the Amended Developer’s Agreement to include a fair share contribution towards system upgrades as the development proposes to connect to sanitary sewer mains that will be over capacity at system buildout according to the Authority’s Sanitary Sewer Master Plan

The Developer agrees to pay \$83,458.00 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.

November 1, 2023 GTS Consultants issued shop drawing review #10.

At this time the Authority may accept the terms of the Developer’s Agreement for the Lanes Mill Road School #6 project as described above. This overrides the terms approved at the Authority’s October 11, 2023 meeting.

- **Resolution No. 23-108** Approving Terms of Amended Developers Agreement Lanes Mill Road School #6

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

5. Well #9 Emergency Repairs 2023

October 24, 2023 Well #9 went down due iron buildup that requires the replacement of the pump and motor.

November 2, 2023 the Authority Engineer issued a memo indicating the well failure and the necessity of the repair for the health and safety of the public.

At this time the Authority may issue a resolution declaring an emergency as recommended by the Authority Engineer as indicated in the memo dated November 2, 2023 for Well #9.

- **Resolution No. 23-109** Declaring an Emergency Well #9

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

October 31, 2023 the Authority received a proposal from Wm. Stothoff Company to replace the submersible pump with a vertical turbine pump in the amount of \$33,500.00.

At this time the Authority may award a contract under emergency conditions to Wm. Stothoff Company for repairs at Well #9 in the amount of \$33,500.00.

- Resolution No. 23-110 Awarding Contract for Emergency Repairs Well #9

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

6. RFQ’s for Engineering Services for Calendar Year 2024

October 25, 2023 the Authority received submissions from 19 firms.

At this time the Authority may accept the qualifications of all companies conditioned on the Authority Director of Engineering and the Authority Attorney reviews of the qualifications.

- **Resolution No. 23-111** Accepting Qualifications for Engineering Services for 2024

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

7. Oak Street to Route 70 Sewer Upgrades Concept Plan & Cost Analysis

October 31, 2023 the Authority received a proposal from French & Parrello Associates for engineering services to provide a conceptual plan and cost analysis for improvements to the Authority’s sanitary sewer system from Oak Street to Route 70 in the lump sum amount of \$48,930.00.

At this time the Authority may award a professional services contract to French & Parrello Associates for engineering services to provide a conceptual plan and cost analysis for improvements

to the Authority's sanitary sewer system from Oak Street to Route 70 in the lump sum amount of \$48,930.00.

- **Resolution No. 23-112** Awarding Professional Services Contract Oak Street to Route 70 Sewer Upgrades Concept Plan & Cost Analysis

Motion was made by Mayor Coles and seconded by Committeeman Lichtenstein. On **roll call**, all seated members voted **"Yes."** **Motion carried.**

8. PFAS Treatment for PFOA & PFOS MCLs

November 1, 2023 the Authority received four (4) bids for the GAC Treatment at the New Hampshire and Shorrock Street treatment plants project. Bids received ranged from \$10,721,500.00 to \$13,582,670.00. The three (3) apparent lowest bidders are:

- MBE Mark, III \$10,721,500.00
- Railroad Construction Co. \$12,376,000.00
- Northeast Remsco \$13,295,000.00

At this time the Authority may award the contract to the lowest qualified bidder, MBE Mark, III, for PFAS Treatment systems at the New Hampshire and Shorrock Street Treatment plants conditioned on the review and recommendations of the Authority Attorney and Remington Vernick, and compliance with all PACO regulations/requirements in the amount of \$10,721,500.00.

- **Resolution No. 23-113 Awarding** Contract for PFAS Treatment for PFOA & PFOS MCLs

Motion was made by Mayor Coles and seconded by Committeeman Lichtenstein. On **roll call**, all seated members voted **"Yes."** **Motion carried.**

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

Business as usual.

IX. **Executive Director's Report**

Given by Mr. J. Flancabaum, Executive Director

1. Resolution Awarding Contract for Snow Clearing for the 2023-2024 Season

We had one proposal from Priority Plowing & Landscaping which is the same company we have been using for years but by another name. The fee is \$5,404.32 per month and runs from December 1st through March 31st. They do a good job and we recommend awarding them the contract for 2023-2024.

- **Resolution No. 23-114 Awarding** Contract for Snow Services for the 2023-2024 Season

Motion was made by Mayor Coles and seconded by Committeeman Lichtenstein. On **roll call**, all seated members voted “**Yes.**” **Motion carried.**

2. Resolution Authorizing Edmunds Service Contract for 2024

The cost of this service agreement is \$12,981.25 for our current billing and finance system for the year.

- **Resolution No. 23-115** Authorizing the execution of a service contract with Edmunds for 2024

Motion was made by Mayor Coles and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted “**Yes.**” **Motion carried.**

3. Motion Adopting the Holiday Calendar for 2024

Motion was made by Committeeman Lichtenstein and seconded by Mayor Coles. On **roll call**, all seated members voted “**Yes.**” **Motion carried.**

We made one change to the calendar this year. We added Juneteenth and took away Lincolns Birthday.

X. Technical Operations Report

Given by Mr. Bob Farina, Operations Supervisor

Operations Dept:

1. On October 17th the NJDEP performed a routine inspection on both Authority’s ASR Well’s 7 & 17 and passed with zero issues.
2. We also had a facility inspection performed by EJIF which went equally well with zero issues.
3. On October the 30th we had a surprise PEOSHA inspection of our facilities, except for several minor issues that are being immediately addressed, the inspection went very well.

Technical Operations Dept:

4. The New SCADA RTU build for the New Well #22 at the Shorrock Street well field is fully programmed and is ready for installation when that time arrives.

IT Dept:

5. In the process of performing vulnerability scans while executing an exchange version upgrade and Certificate from our Internet Service Provider.
6. Work has begun upgrading our Verizon vehicle GPS systems.
7. In the process of vetting replacement Fire/Security alarm service contractors. We have interviewed one and there are two others in the queue.

GIS/Cyber-Security Dept:

GIS:

8. We are going to start to have our GIS technician involved with the Authority's phone systems as well as system servers aiding our IT dept.
9. Performed an inventory of the field iPads while updating the operating system and applications.
10. Provided Fire Commissioners with current fire hydrant data.

Cyber-Security:

11. Currently setting up services provided by Cyber-Jif via the D2Security provider. This is the secondary cyber training organization that the Authority employs.
12. In the process of completing the WQAA cyber submittal.

XI. Commissioners' Report

Senator Singer requested an update on where we stand with the project with the DEP and Green Acres. Mr. J. Flancbaum responded saying we are basically done. Through OPRA requests and speaking with the DEP we basically confirmed that we are outside the Green Acres area for our proposed water main alignment. Last week, Colliers Engineers sent a letter on our behalf to the DEP just summarizing our findings. I don't know if we will get a confirmation or anything back.

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

The meeting was adjourned at 10:30 A.M.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA