



Board of Commissioners

Senator Robert Singer, Chairman

Raymond Coles, Vice Chairman

Anne Fish, Treasurer

Samuel Flancbaum, Assistant Secretary

Michael Sernotti, Commissioner

Craig Theibault, Alt. Commissioner

P. G. Waxman, Commissioner

THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

March 8, 2016

- I. Senator Singer opened the meeting at 2:43 P.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 9, 2016 and The Tri Town News on February 11, 2016.
- III. **Salute to the Flag**
- IV. **Roll Call of Commissioners**
On a roll call the following Commissioners were present: Mr. Waxman, Mrs. Fish and Senator Singer. The following professionals and key personnel were present: Mr. Norman Smith, Esq., Mr. Gerwin Bauer Jr., Auditor, Mr. Justin Flancbaum, Executive Director, Mr. Daniel Rappoccio, CFO, Mr. Paul Morrill, P. E., Mrs. Nechama Lapa, Secretary and Mr. Robert Farina, Instrumentation Department Supervisor.
- V. **Minutes**
Senator Singer handed the gavel over to Mr. Waxman.
A motion to approve the minutes of the Annual Reorganization Meeting held on February 2, 2016, was made by Mrs. Fish and seconded by Senator Singer. On **roll call**, Mrs. Fish and Senator Singer voted, "**Yes**". Mr. Waxman abstained since he did not attend the meeting. **Motion carried.**

A motion to approve the minutes of the Regular Meeting held on February 2, 2016, was made by Mrs. Fish and seconded by Senator Singer. On **roll call**, Mrs. Fish and Senator Singer voted, "**Yes**". Mr. Waxman abstained since he did not attend the meeting. **Motion carried.**

Mr. Waxman handed the gavel back to Senator Singer.

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

390 NEW HAMPSHIRE AVENUE, LAKEWOOD, NEW JERSEY 08701

PHONE (732) 363-4422 | FAX: (732) 905-0712 | WWW.LAKEWOODMUA.COM

VI. Chief Financial Officer Report

1. Financial Results Review For Period Ending February 29, 2016

The Authorities net position for the period ending February 29, 2016 is \$496,000.00 which is ahead of the Year to Date Budget. The Authority's operating revenue through February is \$3.4 Million. The revenue is higher than the Budget by approximately \$1 Million. The two main drivers are the non-recurring connection fees of \$413,000.00 to date and higher water service fees and industrial service fees. The budget was conservative. A two percent increase was built into it. The growth in residential and industrial services being added along with billing corrections throughout the past years is contributing to the higher revenue. Mr. Rappoccio will keep an eye on it going forward. The expense through February are \$2.9 Million which approximately \$200,000.00 over budget. Two main items contributing to the overage is snow removal in approximately \$15,000.00 over the contracted price. This was due to the large snowstorm. The second item is the OCUA deficiency charge of \$130,000.00. Barring those two item the expenses would be fairly close to budget. The financials are in good shape.

2. Healthcare Benefits Costs

A few months ago Mr. Rappoccio was asked to look at the healthcare benefits costs to the Authority. An analysis was done together with Conner Strong. Quotes were received from private companies, Aetna and Cigna. The Health Insurance Fund (HIF) was also looked into. The Authority did not get back good results. Similar policies to what the Authority has now are much more costly. To get similar coverage there are high premiums and high deductibles. The results from the study done with Conner Strong basically say that the Authority is in the right spot with the State Health Benefits Program. It is a good plan and is a lot less than other plans. Senator Singer asked if this study included the Township. Mr. Rappoccio said the Township was not included in the analysis. He could have the Township included in the study. Senator Singer said the Township has a self-insured fund. Mr. Rappoccio said the Township has a lot more employees than the Authority. Senator Singer said that previously the Authority was part of the Township Health Benefits. The Authority left the Township because it was more expensive than the State Health Benefits Program. Senator Singer would like a comparison done if the Authority would go back with Township and take advantage of their rate. Mr. Rappoccio will look into it.

3. Audit

The Annual Audit is near completion. Mr. Bauer said that the overage discussed earlier in the financial results review will actually adjust itself. That overage is approved for in the Audit. That will be pulled back into last year. You will not see in this year's expense. The Audit is done and is going great. Mr. Bauer said he submitted some pages to the Infrastructure Trust for their review. There is one issue and it affects all governmental Audits that end after June 30, 2015. There is a new GASB 68 for Pensions. It is high tech actuarial studies as we do with the Health Benefits Plan on our own. The Authority cannot do it for Pensions. The State has to do it. The State is working on it and do not plan on having it done till May or June. The Authority cannot issue the Audit with required information until the State completes these actuarial studies. Mr. Bauer said he spoke with the DCA and they are waving the deadline because the information is not out there to complete the Audit.

Mr. Coles arrived at 2:51 P.M.

Mr. Bauer said that as soon as the required Pension information is available from the State, the Audit will be updated with those figures.

4. Motion to Approve Operating Vouchers

The Operating Expenses are higher from what was sent on Friday. The overage amount is \$2,117.00. Majority of that amount are two overpayments that customers made and needs to be returned to them. The new Operating Expense total being requested for approval is \$1,636,503.33. A **motion** to approve operating vouchers in the amended amount of \$1,636,503.33 was made by Mr. Coles, seconded by Mrs. Fish. On **roll call**, Mr. Coles, Mrs. Fish and Senator Singer voted, "**Yes**", Mr. Waxman voted, "**Yes, with abstentions as discussed**". **Adopted.** Senator Singer asked Mr. Rappoccio, with regard to Roll Call on the Operating Vouchers, to note the abstentions that a commissioner will have. When the vote is done, the commissioner can say "yes, with noted abstentions". This is done on other Boards and it has to be set up once. Mr. Rappoccio has to go down the list of commissioners and see where they need to abstain. For example, Mr. Coles will have to abstain on a vote with regard to the Township, etc. This will make it easier so there will not be a question about voting on an item accidentally.

VII. Engineer's Report

1. Update of Rules and Regulations

- Motion Approving Addendum #16

This addendum creates details 40 and 41. These are details for the abandonment of water laterals and sewer laterals. A motion to approve Addendum No.16, was made by Mr. Coles and seconded by Mr. Waxman. On **roll call**, all members present voted, "**Yes**". **Motion carried.**

2. Locust Grove

- Resolution Reducing Performance Guarantees

The Authority holds four Performance Guarantees. Two are for abandonments which are being reduced by approximately sixty percent and two are for the new water and sewer facilities which are each being reduced by twenty percent. This is contingent on the Authority's letter of March 2, 2016. Mrs. Lapa read **Resolution # 16-43 Reducing Performance Guarantees Water And Sanitary Sewer Systems Locust Grove Subdivision.** Motion was made by Mr. Coles, seconded by Mrs. Fish. On a **voice vote**, all members present voted, "**Aye**". **Adopted.**

3. Temporary Water and Sewer Connection

- Resolution Releasing Guarantees and Escrow

This is for a construction trailer for Earle Asphalt at 150 Airport Road. The Guarantees and Escrow is currently at \$6,000.00 and will be reduced by approximately \$1,000.00 once all the fees are received and closed out. Mrs. Lapa read **Resolution # 16-44 Release Of Cash Guarantees And Escrow Temporary Water And Sewer Systems Connection.** Motion was made by Mr. Waxman, seconded by Mrs. Fish. On a **voice vote**, all members present voted, "**Aye**". **Adopted.**

4. Pine Belt Chrysler

- Resolution Granting Final Approval

Final approval is contingent on the items listed in the GTS Review Letter dated March 3, 2016. Senator Singer passed the gavel to Mr. Waxman. Mrs. Lapa read **Resolution #**

16-45 Grant Of Final Approval Pine Belt Chrysler. Motion was made by Mr. Waxman, seconded by Mrs. Fish. On a **roll call**, Mr. Coles, Mr. Waxman and Mrs. Fish and voted, "**Yes**". Senator Singer abstained. **Adopted.**
Mr. Waxman returned the gavel to Senator Singer.

5. Somerset Run

- Resolution Accepting Terms of Developer's Agreement

The terms were submitted to all the commissioners. Mr. Morrill said if any of the commissioners have any questions they can ask him. The major item is they are assisting with a contribution towards the off-site sanitary sewer extension. Senator Singer asked who the developer is. Mr. J. Flancbaum said it still is Somerset Development. The Authority received correspondence from their attorney with several questions. Mr. Smith said he responded to the questions. Senator Singer said he will abstain from this and handed over the gavel to Mr. Waxman. Mrs. Lapa read **Resolution # 16-46 Authorizing The Execution Of Developer's Agreement Somerset Run.** Motion was made by Mr. Coles, seconded by Mrs. Fish. On a **roll call**, Mr. Coles, Mr. Waxman and Mrs. Fish and voted, "**Yes**". Senator Singer abstained. **Adopted.**
Mr. Waxman returned the gavel to Senator Singer.

6. Pine Street Construction of Production Wells

- Resolution Awarding Change Order #1

The Change Order is for T&M Associates in the amount of \$6,400.00. Mrs. Lapa read **Resolution # 16-47 Authorizing Change Order No. 1 Pine Street Construction Of Production Wells.** Motion was made by Mr. Waxman, seconded by Mrs. Fish. On a **voice vote**, all members present voted, "**Aye**". **Adopted.**

7. Shorrock Street Water Treatment Plant Filter Media Change

- Resolution Awarding Change Order #1

The Change Order is for the contractor and is a credit to the Authority in the amount of \$25,000.00. There was a line item to take care of any repairs that were necessary. It is being taken out of the contract since none of the money was used. Mrs. Lapa read **Resolution # 16-48 Authorizing Change Order No. 1 Shorrock Street Water Treatment Plant Filter Change.** Motion was made by Mr. Waxman, seconded by Mrs. Fish. On a **voice vote**, all members present voted, "**Aye**". **Adopted.**

8. Abandonment of the Woodlake Pump Station

- Resolution Awarding Change Order #4

This item was modified slightly. There is a handout from Van Cleef Engineering. There was a Change Order that was originally listed as \$28,750.00. This was to remove asbestos cement water lines where the sanitary sewer was crossing. When the water lines were dug up it was found to be ten feet deep. The amount changes from \$28,750.00 to \$41,650.00. Mr. Waxman asked Mr. Morrill if he recommends it. Mr. Morrill said yes. The area out there was built with very few valves. Half of the development will be shut off in order to get these put in. Now more valves will be put in so it can be controlled better. Mrs. Lapa read **Resolution # 16-49 Authorizing Change Order No. 4 Abandonment of the Woodlake Pump Station.** Motion was made by Mr. Coles, seconded by Mrs. Fish. On a **voice vote**, all members present voted, "**Aye**". **Adopted.**

9. Wells #1, #3, and #5 Building Rehabilitations

Resolution Awarding Change Order #1

This is for sanitary sewer laterals that were added to Wells No. 1 and No. 3. The Change Order is in the amount of \$1,666.00. Mrs. Lapa read **Resolution # 16-50 Authorizing Change Order No. 1 Wells No.1, No. 3, and No. 5 Building Rehabilitations.** Motion was made by Mr. Waxman, seconded by Mrs. Fish. On a **voice vote**, all members present voted, "**Aye**". **Adopted.**

Senator Singer asked Mr. Morrill when Change Orders are done is there money in each one of the line item budgets for the overages or does it come out of a different item. Mr. Morrill said it comes out from a line item if a line item was put into the contract when it was originally approved, like it was done for the Shorrock Street project. Sometimes there are certain things that are unknown, and a little bit of money is put aside. But if there is no money in the contract put on the side, then a Change Order is done. This is for unforeseen items. Senator Singer would like Mr. Morrill and Mr. Ponsi together with Mr. Rappoccio to take a look at what the Authority's average is on the overages on the projects. Senator Singer would like to get a handle on it. In other words is the Authority running two percent, five percent or 10 percent etc. over the estimates? Senator Singer said the reason he is getting concerned about this is that currently there is income from the connection fees but at some point the Authority will be using the surplus. This year \$4-5 Million was budgeted for upgrades to the system. Is it really another \$500,000.00 on top of that? It is understood that things come up that need to be done. The Authority needs to know where it is going with the overages and are projects being under calculated. Another issue that needs to be addressed in the future, thanks to Mr. Morrill and Mr. Ponsi, more and more mistakes are being found from the outside engineering firms on a regular basis. Senator Singer would like to start to have them documented so the Authority can go back to them and show them the amount of mistakes they have made. This is not acceptable. Time should not be spent looking over engineer's work that the Authority is paying for. If that is the case, the Authority should hire more engineers and not hire outside engineers. We have to make sure the work that is coming in should not be shoddy. If they do come in shoddy, the Authority should not use those firms. It has come to Senator Singer's attention that more and more mistakes are being picked up on a regular basis. Senator Singer asked Mr. Morrill if this is true. Mr. Morrill said yes, it is happening. Senator Singer said this is not acceptable. Senator Singer would like Mr. Morrill to bring in a head of an engineering firm that is not up to par with its work for a meeting and ask him to explain why the Authority's staff has to do his work. They are letting work go out of their office that is incorrect. They have to be accountable for their work. Things happen, no one is perfect. But in some cases there is a lot of work that is incorrect. Mr. Flancbaum and Senator Singer should also be in attendance of the meeting. They should have to explain to Senator Singer why the Authority staff is doing their work. Any of the commissioners that want can also attend. Senator Singer said that the engineers put in their work that they submit a line stating that they are not responsible for anything that is omitted. Mr. Morrill said that he and Mr. Ponsi are so busy correcting obvious problems and are not picking up the little ones, which is what they should be doing.

VIII. Attorney's Report

Mr. Smith said that he is working on a lawsuit regarding the water tank against the contractor and bonding company. Mr. Smith said he filed suit. In response, he received very generalized answers. Answers that did not actually set up any factual dispute, just

saying over and over again that they deny and they have insufficient information to admit or deny. Mr. Smith said that he then sent out a set of interrogatories. They sent back the same kind of answers, total nonfactual answers. Mr. Smith is now preparing a motion for judgement now. Senator Singer said that is good. Senator Singer wanted to know if the bonding company is a New Jersey company. Mr. Smith said it is. Mr. Waxman questioned why the bonding company would put up with that. Mr. Smith counter asked why the bonding company simply ignored his letters causing him to file suit. He wrote directly to them calling in the bond and they totally ignored him. When the suit was filed, the bonding company hired an attorney to file a general denial answer. Why would they do that? Senator Singer said the pictures tell a thousand words.

IX. Executive Director's Report

1. Resolution Appointing a Prevailing Wage Compliance Officer

It was discussed with the Personnel Committee that it is time for the Authority to have its own Prevailing Wage Compliance Officer. It is a title that can be rolled into an individual's current responsibility. A separate person is not needed. This will ensure compliance with the various aspects of the Prevailing Wage Act. It is felt at this time that Ms. Pamela Adams would be well suited for this. These responsibilities can be rolled into her current responsibilities with vendor and contractor duties. This title comes along with an annual stipend, to be included into the employee's annual salary of \$4,500.00. Mr. Waxman asked if this is the prevailing wage for this position. Mr. J. Flancbaum said yes, it was felt that it is fair compensation for the responsibility. A resolution will be presented to create the title and to have Ms. Adams fill it. Senator Singer said that because the Authority is a government agency, all the work that is done with monies received from grants requires prevailing wage. The Department of Labor comes down periodically to check up. It is the responsibility of the vendors to do it and the Authority has secondary responsibilities. Mr. J. Flancbaum said that any work that is done for the Authority by a hired contractor in excess of \$2,000.00 is subject to prevailing wage. This is basically everything the Authority does. Mrs. Lapa read **Resolution # 16-51 Designating Prevailing Wage Compliance Officer**. Motion was made by Mr. Waxman, seconded by Mr. Coles. On a **voice vote**, all members present voted, "**Aye**". **Adopted.**

2. Emergency Response Plan

Per New Jersey Statute the Authority recently completed a revised and updated emergency plan and submitted it to the DEP. The statute states that the Authority should update the emergency response plan at least every two years. The new plan includes the most updated information regarding the auxiliary power sources, interconnections and public notices. Mr. J. Flancbaum wanted to express a special thank you to everyone that worked on it. It was a monumental task and everyone worked very hard on it. The Authority is awaiting a response from the DEP.

Senator Singer asked Mr. J. Flancbaum when the Authority will be able to donate to the Township the generators that the Authority does not need. Mr. J. Flancbaum said they are ready. Senator Singer said he spoke with the Mayor and they could use them. These generators are usable and in good shape. The Authority needs bigger ones. Senator Singer asked if a resolution can be passed at this meeting by title. Mr. Smith said the resolution can be adopted by title today and he will have it prepared after the meeting. Mrs. Lapa read **Resolution # 16-52 Authorizing Disposal Of Surplus Personal Property**. Motion was made by Mr. Waxman, seconded by Mrs. Fish. On **roll**

call, Mr. Waxman, Mrs. Fish and Senator Singer voted, "**Yes**". Mr. Coles abstained. **Adopted.** Senator Singer asked Mr. Coles to let the manager know so he can notify the Mayor about the generators. Mr. Coles thanked Senator Singer and said it is appreciated. Mr. J. Flancbaum said there are two generators.

Senator Singer proudly announced that this Thursday, Mr. J. Flancbaum will become the Vice President of the County Municipal Utilities Association. Mr. J. Flancbaum was congratulated by all. Senator Singer said that if any of the commissioners would like to go down to a meeting they are welcome to. It can be arranged with Mr. J. Flancbaum. The meeting is held four times a year in Forked River.

X. Instrumentation/IT Department Report

1. Shorrock Street SCADA Conversion Status

The final connections to the Bristol Babcock PLC at the Shorrock Street Water Treatment Plant were severed on the second of this month and our SCADA people have been working from that point forward to switch full control over to the GE PLC equipment. Progress has been going very well but there are many intricate points that must be tested and retested to insure reliability and integrity as well as the critical removal of old wiring. This will eliminate the possibility of confusion in the future. At this time the whole plant is taken over and it was tested. It is looking well. The days of Bristol Babcock are finally over.

2. Shorrock Street Power Savings Module Start Up

The power savings modules have been installed and commissioned by the vendor, Adirondack Energy, for the Shorrock Street Water Treatment Plant. The contractor has demonstrated to me the functionality of the modules. The CFO will track the Authority's current electric bills. The contractor will track our flow to electric usage ratios so that we can now determine the realized savings in electricity usage as proposed by the vendor. Mr. Farina will make periodic reports to the Commissioners in order to convey results

3. Shorrock Street Antenna Tower Progress

The foundation for the steel lattice antenna tower was dug, prepared and poured last week. We are now in the thirty day curing process. The contractor has stated that pending an acceptable PSI lab analysis of the concrete samples, the structure can start to be installed on the foundation in about seven days. The steel components for the tower have been delivered to our contractor some time ago and will be brought to the site upon receipt of that favorable analysis so that work may proceed.

4. Shorrock Street High Lift Pumps and Motors Rehabilitation

The rehabilitation of the two High Lift service pump and motors for the Shorrock Street Water Treatment Plant has been completed. Barring any acts of nature or unforeseeable incidents, these devices should be trouble free for the next ten years. Mr. Farina is awaiting pricing for our two Ground Tank pump and motors. Upon receipt it will be determined if the Authority has enough money budgeted for this year to perform the same maintenance with this equipment. If not, it will be budgeted for year 2017.

5. Shorrock Street Ammonia Treatment Status

With respect to water quality and the ammonia issue, an ammonia analyzer is being tested. We are experimenting with two different ways to detect its presence with the

use of chlorine measurement so that we can come up with an effective and reliable means of treatment.

6. Vehicle Fleet Equipment Vendor

The Authority has switched from Monmouth Truck to Elite Vehicle Solutions located in Lakewood for the outfitting of our vehicles with emergency lighting, racks and other needs. This new company has exhibited superior work quality, is far closer to our facilities and their pricing is much better.

7. Employee Respirator Deployment

Mr. Farina has purchased respirator masks and cartridges to be deployed at Authority locations that employ hypochlorite. These can be worn in the event of a spill or in the cleanup process in order to avoid a potential inhalation hazard to our personnel

IT Status Report

8. LTMUA HR Software Status

The first part of the HR software implementation will be ready to roll out late this month or early April. This first part will be a paperwork eliminator as it will enable employees to request time off via the system and the software will then automatically track said requested time upon approval by their respective supervisor. A small training session will accompany this roll out.

9. AEA IT Committee Activity

The Authority's IT Coordinator addressed the AEA IT Committee Workshop that was held last month at the Ocean County Utilities Authority. He gave a presentation regarding the Authority's implementation and ultimate successes with respect to our Emaint computerized maintenance management system and our CLOUD vendor negotiation processes. It was deemed a success as the attendees conveyed their satisfaction and found the workshop very useful.

10. Vehicle Fleet GPS Status

The negotiation of the contract with the GPS vehicle tracking vendor is expected to be completed this week. The IT Coordinator met with them yesterday over the phone in order to address the last few issues. Upon finalization we will proceed ahead with outfitting the rest of fleet with these units. All vehicles will then be able to be tracked effectively with regard to speed, location and traffic violations.

XI. Commissioners' Report

XII. MEETING OPEN TO THE PUBLIC

Mr. J. Flancbaum introduced Mr. Spencer Morash, the Authority's account representative at JCP&L for the past year and one half. Mr. Morash said that he makes a point of attending these meetings. He started working on the Woodlake Project making sure that all the facilities are on an infrastructure list which is used for outages as well as twenty four/seven contact information. Mr. Morash offered mouse pads and business cards to whoever would like to have them. The mousepad has essential outage information on it. Outages must be reported first to the 800 phone number. Mr. Morash said he can follow up for the Authority on it after that. JCP&L has a new hotline phone number for priority customers. It is not a public number. It is answered by a person and only for major

customers. This number should be distributed to the staff in case of a problem or outage.

XIII. MEETING CLOSED TO THE PUBLIC

Senator Singer asked for an update on the solar project. Mr. J. Flancbaum said that Sun Edison has two businesses, a solar development business and a financing business. They were going to finance the project on their own but now are no longer going to finance the project. They secured financing from a third party. The Authority is supposed to receive the Power Purchase Assignment Agreement today. Senator Singer wanted to know when the project will start. Mr. J. Flancbaum said that as soon as the Authority approves the Assignment Agreement they will start. We have been working on this agreement over the last few weeks. It has been going back and forth. Frankly, it was a surprise. It was supposed to be financed on their own. Mr. Smith said that was the whole deal. Mr. Waxman asked then why are we doing the deal with them. Mr. J. Flancbaum said that any company would have to get third party financing. Mr. Waxman asked if there are any self-financing companies. Mr. J. Flancbaum said no. Senator Singer said he just wants to know when they will start. He is tired of this back and forth. If they will not get it done, then let us go on to the next vendor. Mr. J. Flancbaum said yes, he let them know that. Senator Singer said that if they do not get it done this week they are off. Mr. J. Flancbaum said that they basically were given a deadline a few weeks ago. Senator Singer asked once the agreement is approved does it need to go back to the commissioners. Mr. J. Flancbaum said no. Senator Singer reiterated that they should be told that if it is not done this week they are off. Senator Singer thought it would be in the ground already. Senator Singer said he is trying to avoid the problem of people objecting to this solar project by getting it done before the area is developed. Senator Singer told Mr. Smith to send them a letter by email letting them know we want to get this project started. Mr. Smith said that nullifying the award to them is easy to do legally. But where does that leave the Authority. Senator Singer said he understands that but this is taking too long. The financing part has nothing to do with the Authority. They have used it as an excuse to delay the project. Senator Singer wants to know if there is a problem and they cannot do the project. Mr. J. Flancbaum said the company said that they absolutely can do the project. Mr. Smith suggested that perhaps the Authority contact the other bidders to see if they can come online. Senator Singer asked if they got approvals to start construction. Mr. J. Flancbaum said they will have to get a courtesy approval. Senator Singer said they did not even file an application yet. Mr. Waxman was not happy either. Mr. Waxman asked if they are prepared to submit the application right away. Mr. J. Flancbaum said they are. They will have everything ready to go once the agreement is approved to be signed. Mr. Waxman said to put pressure on them. Senator Singer said that this is not satisfactory. Every month when he questioned about this project there is a different answer. Mr. Waxman asked Mr. Smith if a motion can be made that if the agreement is not taken care of by the end of the week, the Authority has the option to cancel. Mr. Smith said yes. Senator Singer said we should see what the options are. Mr. Coles said we should reach out to the other vendors and see if they prepared to honor their bids if this falls through. Senator Singer said that something is wrong here. They are using delay tactics regarding in-house financing then outside financing. That is understood, it could happen that they did not have the capital to do it in-house. But that should not affect the Authority. Why didn't they go in front of the Planning Board yet? The Planning Board will have to do them a favor now. **A motion** was made by Mr. Waxman, seconded by Mr. Coles to give Mr. J.

Flanbaum and Mr. Smith the option to cancel the Solar Project contract. On **roll call**, all members present voted, "**Yes**". **Motion carried**. Senator Singer asked how long will the construction take. Mr. J. Flanbaum said it will take three to four months. Senator Singer said if everything goes well it will not be ready before September. Mr. Waxman said it will be delayed because the board will want to wait forty five days before approving the application. Senator Singer said it is not a standard application. It is a courtesy application. The Authority can start construction without it. Mr. Smith since we are a governmental agency it is a courtesy application. Senator Singer asked if permits are needed. Mr. J. Flanbaum said yes. Senator Singer said that as they are getting approval simultaneously they can apply for permits. Mr. J. Flanbaum said that is the plan.

XIV. ADJOURNMENT

A motion was made by Mr. Coles, seconded by Mrs. Fish to adjourn meeting. On a **voice vote**, all members present voted, "**Aye**". The meeting was adjourned at 3:32 P.M.

Respectfully submitted,

Nechama Lapa,
Secretary, LTMUA