



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

May 9, 2023

- I. Senator Singer opened the meeting at 10:00 A.M. in the conference room of the Lakewood Township Municipal Utilities Authority, 390 New Hampshire Avenue, Lakewood, NJ 08701
- II. It was announced that in accordance with Chapter 231, Public Law, adequate notice of this meeting was given and that a notice of this scheduled meeting was filed with the Township Clerk and posted in the Municipal Building in a place accessible to the public and by means of public notices in the Asbury Park Press on February 10, 2023 and the Lakewood Shopper on February 9, 2023.
- III. **Salute to the Flag**
- IV. **Roll Call of Commissioners**
On roll call the following Commissioners were present: Mrs. Fish, Mrs. Miller, Mayor Coles, Mr. Theibault, 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 April 4, 2023, was made by Mayor Coles and seconded by Mr. Theibault. On **roll call**, Mrs. Fish abstained, Mayor Coles abstained, Mrs. Miller stepped out of the room, all other seated members voted **"Yes."**
Motion carried.

LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

390 NEW HAMPSHIRE AVENUE, LAKEWOOD, NEW JERSEY 08701

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VI. Chief Financial Officer Report

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

1. Healthcare Change & Healthcare Waiver

Mr. Sondak reported that we have completed our transition to the Central Jersey Health Insurance Fund. Thanks to Conner Strong and Melissa Hammond it was a seamless transition. In addition, regarding eligible employees who waive healthcare coverage, unless the board has any objections, we will follow the same procedure we did previously under the SHBP.

2. Motion To Approve Operating Expenses

The Operating Voucher in your Board Packets is \$1,683,962.70.

There are no unexpected items on the list, but a few larger items of note which are: \$636,142.50 OCUA 1Q payment and \$53,243.00 – NJUA JIF final 2023 Insurance premium payment. In addition, the Operating list is amended for the following invoices: an invoice from Levin Shea Pfeffer and Goldman for services rendered in the amount of \$1,842.50, an invoice from Levin Shea Pfeffer and Goldman for General Counsel Services in the amount of \$4,895.00 and an invoice from the BoNY for Bond Trust Admin Fees of \$4,000. Therefore, the Operating Voucher is amended to \$1,694,700.20.

He recommend that the board approve the Operating Voucher as amended to \$1,694,700.20 with noted abstentions.

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

VII. Engineer’s Report

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

1. Tuscany Terrace 2 Lot Subdivision (*Owner/Developer: Michael Schwartz & GC: Matts Construction-Chaim Ney*)

Mr. Ponsi reported on April 28, 2023 Grant Engineering issued conceptual, technical & final review #1.

At this time the Authority may grant conceptual, technical and final approval for the Tuscany Terrace 2 Lot Subdivision conditioned on the Grant Engineering letter dated April 28, 2023

- **Resolution No. 23-40** Granting Conceptual, Technical and Final Approval Tuscany Terrace 2 Lot Subdivision
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Adopted**.

2. **850 Towbin Avenue Building Addition** (*Towbin Realty, LLC.-Elieze Friedman & GC: Nexgen Builders-Jake Jacobovitich*)

Mr. Ponsi reported that May 3, 2023 Grant Engineering issued commercial/industrial review #2.

At this time the Authority may authorize the Executive Director to endorse applications for the 850 Towbin Avenue Building Addition project. OCUA approval is required due to the proposed development generating over 2,000 gpd of sanitary sewer flow.

- **Resolution No. 23-41** Authorizing the Executive Director to Endorse Applications 850 Towbin Avenue Building Addition
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Adopted**.

3. **750 Vassar Avenue School Conversion** (*Owner/Developer: Congregatin Ohr Shraga Veretzky, Inc.-Rabbi Sholom Landau & GC: Builders Supreme-Nathan Neuman*)

Mr. Ponsi reported that a developers agreement was drafted and the following are the site specific terms for the Developer’s Agreement for the project:

- The Authority and Developer agree connection fees will be charged based on the equivalent usage report submitted by the Developer.
- The Developer agrees to enter into a monitoring agreement where the usage for the building will be monitored for a period of 5 years.
- If the usage of the building exceeds the amount as noted in the monitoring agreement the Developer agrees to pay the overage in connection fees at the Authority’s connection fee rate at the conclusion of the monitoring period. The Authority will not reimburse the Developer if they use less than what was estimated.
- Connection Fees must be paid prior to installation of the meter.
- The Developer agrees to pay \$177,908.00 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.

There are two separate resolutions for this project:

At this time the Authority may authorize the Executive Director to endorse applications for the 750 Vassar Avenue School Conversion project. OCUA and NJDEP TWA approval are required due to the proposed development generating over 8,000 gpd of sanitary sewer flow.

- **Resolution No. 23-42** Authorizing the Executive Director to Endorse Applications 750 Vassar Avenue Building Addition
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Adopted.**

At this time the Authority may accept the terms of the Developer’s Agreement as indicated in Schedule ‘B’.

- **Resolution No. 23-43** Authorizing the Execution of a Developers Agreement 750 Vassar Avenue Building Addition
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes”**. **Adopted.**

4. **Meter Replacement 2023**

Mr. Farrell reported that on April 28, 2023 the Authority received a proposal from Remington & Vernick to prepare bid documents, provide support for NJ I-Bank application, provide bid phase and construction phase services, and provide contract administration in the cost not to exceed amount of \$40,500.00.

At this time the Authority may award a Professional Services Contract to Remington Vernick to provide engineering services for the Meter Replacement 2023 project in the cost not to exceed amount of \$40,500.00.

- **Resolution No. 23-44** Awarding Professional Services Contract Meter Replacement 2023
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes.”** **Adopted.**

5. **GAC Treatment for Wells 1, 2, & 3**

Mr. Farrell reported that April 4, 2023 the Authority received a proposal from Owen, Little & Associates for Engineering Services in order to apply for NJ I-Bank funding for the GAC Treatment for Wells 1, 2 & 3 project in the cost not to exceed amount of \$6,800.00.

At this time the Authority may award a professional services contract to Owen, Little & Associates to provide engineering services in order to apply for NJ I-Bank funding for the GAC Treatment for Wells 1, 2 & 3 project in the cost not to exceed amount of \$6,800.00.

- **Resolution No. 23-45** Awarding Professional Services Contract GAC Treatment for Wells 1, 2, & 3
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes.” Adopted.**

6. Pine Street Construction of Production Wells

Mr. Farrell reported that April 28, 2023 the Authority received one (1) bid for the for the Pine Street construction of production wells project. The one (1) bidder and price received is:

- A.C. Schultes, Inc. \$2,383,050.00

May 3, 2023 the Authority received a letter from T&M Associates reviewing the bid received. In that letter T&M indicates the Engineer’s Estimate for the project is \$1,494,100.00 and recommends rejection of all bids due to the only bid received exceeding the engineer’s estimate for the project.

May 4, 2023 the Authority received change order request #3 from T&M Associates to remove the well house from the plans and specifications and to rebid the project in the cost not to exceed amount of \$14,500.00.

Senator Singer would like it noted his displeasure with T& M Associates, their estimate was off by one million dollars.

We are constructing our new wells and T&M recommended putting up block buildings. Their cost estimate was \$80,000 per building but the bid came back at \$1,000,000 for both buildings. There were other issues with the well drillers too. What we have decided to do now is to rebid without the buildings, we will handle those later. We received a quote for \$10,400. This building is to house equipment only, there is no treatment on site meaning we don’t need more than this.

At this time the Authority may reject all bids for the Pine Street construction of production wells project due to the only bid received exceeding the engineer’s estimate.

- **Resolution No. 23-46** Rejecting All Bids Pine Steet Construction of Production Wells
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes.” Adopted.**

At this time the Authority may award change order #3 to T&M Associates for revisions to the plans and specifications and to rebid the Pine Street construction of production wells project in the cost not to exceed amount of \$14,500.00.

- **Resolution No. 23-47** Awarding Change Order No. 3 Pine Street Construction of Production Wells

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

7. Sanitary Sewer Extension to Old Pine Acres

Mr. Farrell reported that on May 4, 2023 the Authority received eleven (11) bids for the for the Sanitary Sewer Extension to Old Pine Acres project. Bids received ranged from \$1,273,297.70 to \$3,098,876.25. The three (3) apparent lowest bidders are:

- P&A Construction, Inc \$1,273,297.70
- MSP Construction \$1,495,164.50
- A to Z Site Contractors, Inc. \$1,627,370.50

At this time the Authority may award the contract to the lowest qualified bidder P&A Construction, Inc, for the Sanitary Sewer Extension to Old Pine Acres project conditioned on the review and recommendations of the Authority Attorney and CME Associates in the amount of \$1,273,297.70.

- **Resolution No. 23-48** Awarding Contract Sanitary Sewer Extension to Old Pine Acres
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted “**Yes.**” **Adopted.**

8. Shorrock Street Backup Well

Mr. Farrell reported that on May 4, 2023 the Authority received change order request #1 from ARH Associates to remove the well house from the plans and specifications in the cost not to exceed amount of \$34,751.00.

At this time the Authority may award change order #1 to ARH Associates for revisions to the plans and specifications for the Shorrock Street Backup Well project in the cost not to exceed amount of \$34,751.00.

At this time the Authority may authorize the issuance of the Notice to Bidders for the Shorrock Street Backup Well project.

- **Resolution No. 23-49** Awarding Change Order No. 1 Shorrock Street Backup Well
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted “**Yes.**” **Adopted.**

Motion Authorizing NTB Shorrock Street Backup Well was made by Mayor Coles and seconded by Mr. Theibault. On **voice**, all seated members voted “**Aye.**” **Adopted.**

9. **Motion Authorizing NTB Abandonment of Wells 4, 15 & Ball Field Test Wells 1 & 2**

Mr. Farrell reported that on February 7, 2023 the Authority awarded a professional services contract to PS&S for engineering services for the abandonment of 4 wells in the Cost Not to Exceed Amount of \$27,475.00.

At this time the Authority may authorize the issuance of the Notice to Bidders for the Abandonment of Wells 4, 15 & Ball Field Test Wells 1 & 2 project.

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

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

We had the pre con meeting with the Perlstein school and they seem to moving along and doing what they are supposed to be doing.

IX. **Executive Director's Report**

Given by Mr. J. Flancabaum, Executive Director

1. Shared Services Agreement with the Toms River MUA

This is a one-year agreement that we have done for the past few years.

- Resolution No. 23-50 Approving Shared Services Agreement with the Toms River MUA
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes.” Adopted.**

2. Landscape Maintenance Agreement for 2023

An RFP opening was conducted on April 26th. We received one proposal from Meticulous Landscaping. Their proposal is for seven months for a total of \$28,000.

- Resolution No. 23-51 Awarding Contract for Landscape Maintenance 2023
Motion was made by Mrs. Fish and seconded by Mr. Theibault. On **roll call**, Senator Singer abstained, all seated members voted **“Yes.” Adopted.**

3. Authorizing a Small Utility Enterprise Agreement with Esri

This is a 3 year agreement that will grant us access to ESRI term license software for our GIS system. The price for 3 years is \$85,200. This is a budgeted expense.

- Resolution No. 23-52 Authorizing the Execution of a Small Utility Enterprise Agreement with ESRI
Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted “**Yes.**” **Adopted.**

X. Technical Operations Report

Given by Mr. Bob Farina, Director of Operations

Operations Dept:

1. We have hired an additional new field technician for the Operations Dept. that will return our field technician staff back to its full roster. This new hire is currently in the process of having his background and medical checks performed and is slated to start in 3 weeks.
2. Card Key access installation at the LVE sewer lift station site is complete and working fine. We will now be moving on to our stand alone wells 1, 2 & 3.

Technical Operations Dept:

3. All SCADA and communication systems are up and running well.
4. We are in the process of repairing some electrical issues at our seasonal Well #1 & 3 locations in preparation for the pumping season.

IT Dept:

5. The new insurance and prescription plan SOC2 compliance security and cyber-security protocols have been reviewed and are deemed acceptable.
6. Microsoft 365 software for desk top stations has been renewed and is complete.
7. Card Key access installation is underway at well #2.
8. Renewal of the SCADA support software support contract is completed.

GIS/Cyber-Security Dept:

GIS:

9. Our new employee has settled in well and has now passed his 30 & 45-day reviews. He has been outfitted with his new desktop computer and is now enabled to perform all said duties of his job while having the capability to assist and handle some IT work as well.
10. The Capital Improvement Report was submitted on time to the NJDEP as was required by the WQAA.

Cyber-Security:

11. Chris attended two FEMA sponsored cyber-security classes which enabled him to pick up on some ransomware strategies, some of which will be readily shared with our employees.
12. Chris is scheduled to participate with Comp TIA Security and Training so that he can take the class that is sponsored by the NJCICC. Upon completion of the training, he will receive a voucher that will enable him to take an exam and upon passing will receive certification.

XI. Commissioners' Report

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

Motion to adjourn made by Mr. Theibault and seconded by Committeeman Lichtenstein
The meeting was adjourned at 10:25 A.M.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA