



**Board of Commissioners**  
*Senator Robert Singer, Chairman*  
*Mayor Raymond Coles, Vice Chairman*  
*Craig Theibault, Treasurer*  
*Anne Fish, Assistant Secretary*  
*Yocheved Miller, Commissioner*  
*Samuel Flancbaum, Alt. Commissioner*  
*Meir Lichtenstein, Alt. Commissioner*

## THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

### Regular Meeting Minutes

May 3, 2022

- 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 March 4, 2022 and The Tri Town News on March 9, 2022.
- III. **Salute to the Flag**
- IV. **Roll Call of Commissioners**  
On roll call the following Commissioners were present: Mrs. Miller, Mayor Coles, Mr. Theibault, Committeeman Lichtenstein and Senator Singer.  
The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq., Mr. Gerwin Bauer, Auditor, Mr. Justin Flancbaum, Executive Director, Mr. Donald Sondak, CFO, 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 Meeting Minutes held on April 5, 2022, was made by Mayor Coles and seconded by Mr. Theibault. On **voice vote**, all seated members voted **“Aye.” Motion carried.**
- VI. **Chief Financial Officer Report**  
Given by Mr. Donald Sondak, CFO/Human Resources Director

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## LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

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## 1. Operating Expenses

The Operating Voucher in the Board Packet is \$1,287,736.25. This amount includes a quarterly invoice to the OCUA in the amount of \$626,045.00. There are no surprise out-of-the-ordinary monthly issues to note, however, there is one item missing. The Bank of America P-Card invoice of \$15,966.13 was not listed. Therefore, the amended total of the operating list is \$1,303,702.38. Mr. Sondak recommend that the Board approve the Operating Voucher, as amended to \$1,303702.38 with noted abstentions.

- Motion was made by Mayor Coles and seconded by Mr. Theibault. **On voice call**, all seated members voted “**Yes**” **with noted abstentions. Motion carried.**

Senator Singer informs the Commissioners that he received a phone call from Mr. Bauer and he wanted to compliment Mr. Sondak and what he has been doing-taking care of the old problems that we had and bringing them all into place and we appreciate the job Mr. Sondak is doing.

## VII. Engineer’s Report

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

### 1. Pine Street & Blvd of the Americas Office (*HMR 3, LLC-Tzvi Miller*)

Mr. Ponsi stated that at this time the Authority may authorize the Executive Director to endorse applications for the Pine Street and Blvd. of the Americas Office project. OCUA approval is required due to the proposed development generating over 2,000 gallons per day.

- **Resolution No. 22-38** Authorizing Executive Director to Endorse Applications  
**Motion** was made by Mayor Coles and seconded Mr. Theibault. On **roll call**, all seated members voted “**Yes**”. **Adopted.**

### 2. Avenue of the States Office Tower #5 (*Tower 5 Equity, LLC-Mark Chopp*)

Mr. Ponsi states that at this time the authority may authorize the Executive Director to endorse applications for the Avenue of the States Office Tower #5 project. The OCUA and TWA approvals are required to do the proposed development generating over 8,000 gallons per day.

- **Resolution No. 22-39** Authorizing Executive Director to Endorse Applications  
**Motion** was made by Mayor Coles and seconded by Committeeman Lichtenstein. On **voice vote**, all seated members voted “**Aye**”. **Adopted.**

### 3. 100 Airport Road Office Building (*Mactavish Partnership, LLC-Simcha Ingber*)

Mr. Ponsi that at this time the Authority may authorize the Executive Director to endorse applications for the 100 Airport Road Office Building project. OCUA approval is required due to the development generating over 2,000 gallons per day.

- **Resolution No. 22-40** Authorizing Executive Director to Endorse Applications  
**Motion** was made by Mayor Coles and seconded by Mr. Theibault. On voice vote, Committeeman Lichtenstein abstained, all other seated members voted “**Aye**”. **Adopted.**

#### **4. Ridge Avenue Water Main Loop**

Mr. Farrell stated that on April 26, 2022 the Authority received a proposal from Morgan Engineering for survey and concept plan, technical design, permitting, bidding services, construction administration and as built plans for the Ridge Avenue Water Main Loop for the cost of \$34,825.00. The authority may award the professional services contract to Morgan Engineering in the amount of \$34,825.00.

- **Resolution No. 22-41** Awarding Professional Services Contract Ridge Avenue Water Main Loop  
Motion was made by Mayor Coles and seconded by Committeeman Lichtenstein. On **voice vote**, all seated members voted “**Aye**”. **Adopted.**

#### **5. Rutgers Blvd to Chambers Bridge Road Water Main Loop**

Mr. Farrell stated that on April 27, 2022 the Authority received a proposal from Colliers Engineering & Design for engineering and design for construction services and concept plans for the Rutgers Blvd to Chambers Bridge Road Water Main Loop at the cost not to exceed \$9,800.00. The Authority may award the professional services contract to Colliers Engineering & Design in the amount of \$9,800.00.

- **Resolution No. 22-42** Awarding Professional Services Contract Rutgers Blvd to Chambers Bridge Road Water Main Loop  
Motion was made by Mayor Coles and seconded by Committeeman Lichtenstein. On **voice vote**, all seated members voted “**Aye**”. **Adopted.**

Mrs. Fish arrived at this time and was seated and Committeeman Lichtenstein was unseated.

#### **6. Vassar Avenue to OCUA Conceptual Design and Cost Analysis**

Mr. Farrell stated that this item is tabled for next month.

**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. Retainer Agreement-Wilentz, Goldman & Spitzer**

As the board knows we are preparing to build two GAC facilities in order to treat and remove peflourinated compounds (know as “PFAS”) from our water distribution system.

Our test results to date have shown some traces of PFAS, however they are well below what the State of NJ considers a maximum contaminant level. We are getting ahead of the issue though and will spend close to \$10,000,000 to construct these facilities.

PFAS are man-made chemicals and we were recently made aware of lawsuits filed by water purveyors against those parties responsible for contamination in an effort to recover costs and expenses related to the treatment of these chemicals.

To that extent, we have received a Letter of Engagement from Wilentz, Godlman, & Spitzer, to evaluate our system and determine if there are any potential claims against parties responsible for contamination. This firm is actively engaged in several of these claims and their fee is paid strictly on a contingency basis.

We have reviewed the agreement and ask for authorization to sign it and provide the necessary information to them for their evaluation.

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

## **2. Strand Theater 100<sup>th</sup> Anniversary**

Mr. J. Flancbaum said he thought he would have more information about this event by now but he doesn't. Mr. Theibault added that the celebration would be a year long one from July 2022 through July 2023.

Senator Singer announced that the Authority would sponsor this.

Going back to Mr. J. Flancbaum's first item, Committeeman Lichtenstein asks if the attorneys find that somebody may have some culpability and then we go to those people and they say they were following DEP regulations-are we looking to engage in that type of manner with the people who are now in the industrial park? Senator Singer explains that someone who is following regulations is not the problem. We had an issue with the chemical company out there for years. They were polluting. They received stiff fines for that, that's what they are looking for. This is a 10 million dollar expense so we should know what's going on out there. Senator Singer continues saying that we aren't going to assume since you have chemicals that you are responsible. For someone who has not disposed of the chemical properly is what is being looked at, someone who dumped the chemicals on the ground not properly treated allowing it to go into our system-those culpabilities is what we will look for.

Mr. Pfeffer added that we are just taking a look to see what's out there, if there is any claim at all. If there is, we will not be engaging in any lawsuit yet-we will come back to the board to discuss.

Senator Singer says we are not looking for someone to blame-we are looking to save the ratepayers some money if we can.

Mr. J. Flancbaum furthers the discussion saying most of the contamination occurred decades ago and are just starting now to come out.

Senator Singer agreed that that's what we are talking about. They were supposed treat the chemicals, never did and dumped it into the system. He closed the discussion by saying we are just seeing if there are any possibilities and we are doing what other water companies are doing, it's not just us.

## **X. Technical Operations Report**

Given by Mr. Bob Farina, Director of Operations

### **Operations Dept.:**

1. Annual hydrant flushing is to begin on May 2<sup>nd</sup> and is expected to continue until early July.
2. We have begun a manhole relining effort whereas we will perform several manholes per year until the ones in need of attention are all addressed. Relining versus rebuilding or replacement saves the Authority a significant amount of expense and the relining method is proven and is as good if not the same as full replacement or in many cases, better if the manholes are assessed as candidates for relining. At this point assessments have not shown any that are beyond lining and need of replacement or rebuilding.

### **Technical Operations Dept.:**

3. All SCADA and Communications Systems are up and running.
4. We are replacing malfunctioning UPS power backup systems at each of our three main microwave radio hubs with smart units to monitor the power and avoid system shutdowns resulting in loss of critical real time water storage information.

### **IT Dept.:**

5. Working with our vendor Core & Main to upgrade the backbone of the Sensus automated water meter reading system. The Tower Gateway Base station or TGB is now outdated and will no longer be supported, the new unit will have better communications with the customer field meters and with the new software that we recently upgraded.
6. Upgrading the Admin. 2<sup>nd</sup> floor server network switch to accommodate needed additional access ports.
7. Had a kickoff meeting with regards to the SCADA Hardware and software upgrades so that all five of the outside contractors and vendors are properly coordinated to insure a seamless conversion.

### **GIS/Cyber-Security Dept.:**

#### **GIS:**

8. Preparing for upcoming hydrant flushing process
9. Collecting data for the WQAA required asset management submittal.

#### **Cyber:**

10. Performing GAP analysis along with MEL/JIF for their Cyber Risk Management Program.
11. Working on the initial submittal of the Cyber Security Plan as requires by the WQAA.
12. Planning next cyber security training for May.

Senator Singer informs the board that we took a look at buying electric vehicles but they are not yet on state contract and writing our own specs is always a problem. Harry has been looking into where we would put the charging stations and we will continue to look into it. The packages out there now are geared to residential, very high end trucks-Mr. Robbins added.

## **XI. Commissioners' Report**

**XII. MEETING OPEN TO THE PUBLIC**

**XIII. MEETING CLOSED TO THE PUBLIC**

**XIV. ADJOURNMENT**

**A motion** was made by Mayor Coles, seconded by Mrs. Fish to adjourn meeting. On voice vote, all members present voted, “**Aye**”. The meeting was adjourned at 10:42 A.M.

Respectfully submitted,

Robyn Gray,  
Secretary, LTMUA