



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

October 11, 2023

- I. Senator Singer opened the meeting at 10:02 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 September 6, 2023, was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, all seated members voted **“Yes.” Motion carried.**

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

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

1. Resolution Amending Certain Provisions of a Note Resolution Adopted on August 1, 2023 Relating to the Authority's GAC Building Project and GAC Treatment Tanks Project

This board approved our Short-Term Funding requests in previous meetings for both GAC projects, the buildings and well treatments. Today we have a resolution to amend that resolution to revise the reimbursement process. This change will eliminate an unnecessary step in the reimbursement process by removing the participation of a Trustee, which is not required for Short Term Note funding. This has been discussed with and approved by our Bond Counsel. No other changes are needed.

- **Resolution No. 23-87 Amending Certain Provisions of a Note Resolution Adopted on August 1, 2023 Relating to the Authority's GAC Building Project and GAC Treatment Tanks Project**

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

2. Resolution Amending Certain Provisions of a Note Resolution Adopted on September 6, 2023 Relating to the Authority's Meter Replacement Project

This board approved our Short-Term Funding request in a previous meeting for Meter Replacements. Today we have a resolution to amend that resolution to revise the reimbursement process. This change will eliminate an unnecessary step in the reimbursement process by removing the participation of a Trustee, which is not required for Short Term Note funding. This has been discussed with and approved by our Bond Council. No other changes are needed.

- **Resolution No. 23-88 Amending Certain Provisions of a Note Resolution Adopted on September 6, 2023 Relating to the Authority's Meter Replacement Project**

Motion made by Mrs. Fish and seconded by Mayor Coles. 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 \$1,734,639.53.

There were no unexpected expenditures to note, but included on the list are ARP funded Construction costs of \$661,678 for which we have been funded with ARP money by Lakewood Township. In addition, NJ American Water has submitted their billing catch-up of 279,973.20.

I recommend that the board approve the Operating Voucher at \$1,734,639.53, with noted abstentions.

Motion made by Mrs. Fish 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. and Mr. Colin Farrell, Director of Engineering

1. Joe Parker Road School #5 (Owner/Developer: Yeshiva Gedola, Inc – Rabbi Yaakov Meir Ehrlich)

At this time the Authority may authorize the Executive Director to endorse applications for the Joe Parker Road School #5 project. OCUA & TWA approvals are required due to the proposed development generating over 8,000 gpd of sanitary sewer flow.

- **Resolution No. 23-89** Authorizing Executive Director to Endorse Applications for Joe Parker School #5

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

2. Avenue of the States Retail Center (Owner/Developer: Tower Park Equity, LLC – Mark Chopp)

- **Resolution No. 23-90** Authorizing the Executive Director to Endorse Applications for Avenue of the States Retail Center

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

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

At this time the Authority may grant Amended Technical Approval for the Lanes Mill Road School #6 project conditioned on the GTS review letter dated October 5, 2023. Amended approval is necessary due to the new sanitary sewer design containing an approximate 1,900’ force main instead of the originally proposed few hundred foot gravity sanitary sewer main extension. The applicant requested this change due to the applicant’s inability to obtain an offsite easement necessary to construct the gravity sanitary sewer main extension.

At this time the Authority may accept the terms of the Developer's Agreements for the Lanes Mill Road School #6 project as described above.

- **Resolution No. 23-91** Granting Amended Technical Approval for Lanes Mill Road School #6

Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, Mr. Theibault abstained, all other seated members voted **"Yes"**. **Adopted.**

- **Resolution No. 23-92** Authorizing the Execution of an Amended Developers Agreement for Lanes Mill Road School #6

September 2023 the Applicant changed the design of their plans to eliminate the gravity sanitary sewer extension and to install an approximately 1,900' long force main to connect the Authority's sanitary sewer system in a different location on Joe Parker Road. As such the terms of the Developer's Agreement requires and amendment with the following conditions:

- The Developer will own, operate and maintain the proposed privately owned force main, manhole and gravity lateral that will connect to the Authority's system.
- The Developer will provide proof of inclusion in the NJ One Call System for marking out the privately owned force main and gravity lateral.
- The Developer will post a performance guarantee in the amount as directed by the Authority Engineer to guarantee the construction of the force main within the public Right-of-Ways of Lanes Mill Road and Joe Parker Road.
- The Developer Acknowledges construction of the force main cannot commence until the amended design is approved by the NJDEP and performance guarantees are posted which are in addition to all other items that are typically required for similar applications.
- 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.

At this time the Authority may accept the terms of the Developer's Agreements for the Lanes Mill Road School #6 project as described above.

Motion was made by Mrs. Fish and seconded by Mayor Coles. On **roll call**, Mr. Theibault abstained, all other seated members voted **"Yes"**. **Adopted.**

Committeeman Lichtenstein arrived.

4. **Burnside Avenue Development (Owner/Developer: Bridgewater Lakewood Estates, LLC – Saul Mizrahi)**

October 6, 2023 Grant Engineering issued an informal email review to the design engineer indicating the remaining technical items that need to be addressed for the project.

At this time the Authority may grant final approval for the Burnside Avenue Development conditioned on the Grant Engineering letter dated September 5, 2023.

- **Resolution No. 23-93** Granting Final Approval Burnside Avenue Development

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

5. **Budleman Way Subdivision** (*Owner/Developer: Somerset NJ Equity, LLC – Johnathan Glenner & Yehuda Dachs*)

At this time the Authority may reduce the performance guarantees for the Budleman Way Subdivision project in the amounts as detailed in the Authority’s letter dated October 6, 2023.

- **Resolution No. 23-94** Reducing Performance Guarantees for Budleman Way Subdivision

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

6. **Pine Belt Mazda** (*Owner/Developer: Sickel Family, LLC – Robert Sickel & Mike Lynch*)

The following are the specific terms for the Developer’s Agreement for this project:

- The Property Owner will own, operate and maintain the privately owned force main, manhole and gravity lateral that connects to the Authority’s system.
- The Property Owner will provide proof of inclusion in the NJ One Call System for marking out the privately owned force main and gravity lateral.
- The Property Owner will provide the Authority an easement for the water service up to and around the meter pits.
- The Property Owner agrees to remove the freestanding sign in the event the Authority determines it is necessary in order to perform work within the easement.
- The Property Owner agrees that they are responsible for all costs associated with removal, replacement or reinstallation of the freestanding sign within the Authority easement whenever it is determined necessary by the Authority the freestanding sign be removed in order for the Authority to perform work within the easement.
- The Property Owner agrees to pay all escrow fees necessary for the Authority to create agreements, review plans, review shop drawings and provide inspection during construction.

At this time the Authority may accept the terms of the Developer’s Agreements for the Pine Belt Mazda project as described above.

- **Resolution No. 23-95 Authorizing the Execution of a Developers Agreement for Pine Belt Mazda**

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

7. **Pine Street Construction of Production Wells**

September 2023 as the Authority rejected bids on two occasions pursuant to Local Public Contracts Law the Authority began negotiations with the well drilling companies to obtain a price less than the bids received on April 28, 2023 and July 26, 2023.

September 27, 2023 the Authority received the initial bid/proposals to begin the negotiations for the Pine Street construction of the production wells project. The prices received were:

- AC Schultes \$1,972,400.00
- William Stothoff Company \$1,985,650.00
- Uni Tech \$422,625.00 (Provided Price on Drilling Only)

October 4, 2023 the Authority received the final negotiated price for the Pine Street construction of the production wells project. The prices received are:

- William Stothoff Company \$1,889,650.00.
- AC Schultes \$1,972,400.00
- Uni Tech \$422,625.00 (Provided Price on Drilling Only)

October 6, 2023 the Authority’s Director of Engineering issued a letter recommending award to William Stothoff Company at the lowest negotiated price of \$1,889,650.00 conditioned on the approval of the Authority Attorney.

At this time the Authority may award a contract for the construction of the Pine Street production wells project in the amount of \$1,889,650.00. This amount represents a reduction to the cost of \$493,400 (20.7%) from the original bid received on April 28, 2023.

- **Resolution No. 23-96 Awarding Contract for Pine Street Construction of Production Wells**

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

8. **Shorrock Street Backup Well**

September 26, 2023 the Authority received change order request #3 from ARH Associates for additional professional services primarily for phasing the project into two separate contracts, one for the well driller and one for the general contractor, in the amount of \$8,937.00.

At this time the Authority may award change order #3 for ARH Associates for additional professional services in order to phase the project into two contracts in the amount of \$8,937.00.

- **Resolution No. 23-97 Awarding Change Order #3 for Shorrock Street Backup Well**

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

9. **OLV & LVE Irrigation Metering**

At this time the Authority may approve change order #3 for CRJ Contracting in the amount of \$10,614.71 for the work necessary to replace an existing 3” valve that broke when being operated in order for CRJ Contracting to continue working. The valve is an old valve and it’s common when trying to operate them, to break.

- **Resolution No. 23-98** Awarding Change Order #3 for OLV & LVE Irrigation Metering

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

10. **Shorrock Solar Project**

September 20, 2023 the Authority received a proposal from Colliers Engineering & Design to provide engineering services consisting of Surveying services, wetlands assessment, bidding services and construction oversight services for a new Solar Field to service the Shorrock Street Water Treatment Plant in the cost not to exceed amount of \$97,100.00.

At this time the Authority may award a professional services contract to Colliers Engineering & Design to provide engineering services for a new solar field to service the Shorrock Street Water Treatment Plant in the cost not to exceed amount of \$97,100.00.

Senator Singer tells the Board we have been very successful with the solar fields here in our complex. The Township is going to help us out with some property on Shorrock Street. It will provide solar power to our existing plant directly across the street. We are expecting to have significant savings. Thanks to Committeeman Lichtenstein and Mayor Coles, we will be able to go forward with this project.

- **Resolution No. 23-99** Awarding Professional Services Contract for Shorrock Solar Project

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

11. **Bids for Chemicals and Cold Water Meters for Calendar Year 2024-2025**

August 1, 2023 the Authority authorized the issuance of the notice to bidders for the purchase of chemicals and cold water meters for the calendar years 2024-2025.
Bids were accepted and opened on September 27, 2023.

- **Resolution No. 23-100** Awarding Contract Hydrated Lime

A total of two (2) bids were received for the purchase of Hydrated Lime. The lowest responsive and responsible bidder for Hydrated Lime is Reed & Perrine (\$20.75 per 50# bag for 1 year or \$21.75 per 50# bag for 2 years). The 2nd lowest responsive and responsible bidder is George S. Coyne Chemical (\$23.00 per 50# bag for 1 year or \$23.77 per 50# bag for 2 years). The lowest responsive and responsible bidder for Hydrated Lime is Reed & Perrine (\$20.75 per 50# bag for 1 year or \$21.75 per 50# bag for two years). The price for the previous year is \$27.378 per 50# bag. If a one year contract is awarded the decrease in price would be approximately 24.21% and if a two year contract is awarded the decrease in price would be approximately 20.56%.

At this time the Authority may award a 1 year contract to Reed & Perrine in the unit price amount of \$20.75 per 50# bag for hydrated lime.

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

- **Resolution No. 23-101** Awarding Contract Sodium Hypochlorite

A total of one (1) bid was received for the purchase of Sodium Hypochlorite. The lowest responsive and responsible bidder for sodium hypochlorite is Miracle Chemical Company (\$4.57 per gallon for 1 year). The price for the previous year is \$4.495 per gallon. The increase in price will be approximately 1.67%.

At this time the Authority may award a 1 year contract to Miracle Chemical Company in the unit price amount of \$4.57 per gallon for sodium hypochlorite.

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

- **Resolution No. 23-102** Awarding Contract Cold Water Meters

A total of two (2) bids were received for the purchase of Cold Water Meters. The lowest responsive and responsible bidder for Cold Water Meters is Core & Main LP (\$1,353,465.00 for 1 year or \$1,672,320.00 for 2 years). The 2nd bidder, Ferguson Water Works’ bid is disqualified due to the proposed cold water meters not meeting the bid specifications.

At this time the Authority may award a 1 year contract or a 2 year contract to Core & Main LP for the purchase of cold water meters at the unit prices listed in their bid.

Motion was made by Mrs. Fish and seconded by Mayor Coles. 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. Flancbaum, Executive Director

1. Motion Authorizing RFP Competitive Contracting for Lab Testing for the calendar year 2024

Motion made by Mayor Coles and seconded by Mrs. Fish. All seated members voted "Aye", so moved.

2. Tax Sale update

Tomorrow is the Tax Sale. We started in July with approximately \$300,000 in delinquent balances for 2023. As of today, the balance is approximately \$100,000. We have collected a lot of money over the last few months and we should be made whole by the end of the day.

Senator Singer thanked the Township leaders for doing a Tax Sale because it takes care of us financially. We don't need to readjust our budget because of the sale.

X. Technical Operations Report

Given by Mr. Bob Farina, Operations Supervisor

Operations Dept:

1. After purchasing a couple of wireless pressure sensors to be used on fire hydrants for the purpose of addressing low pressure complaints and system pressure studies, we have already addressed several low-pressure complaints by providing data supporting that the complaints were unfounded and the system pressure being well above the NJDEP's mandatory minimum pressure requirements. The units transmit back to us via cell signal.

Technical Operations Dept:

2. The New SCADA RTU build for the New Well #22 in the Shorrocks Street well field has been completed and is awaiting programming.

IT Dept.:

3. In the process of searching for a replacement fire alarm contractor to take over monitoring, repairs, and maintenance of the Authority's system as well as address the malfunctioning pair of controllers in well buildings 7 & 17.
4. Looking into the replacement outdoor digital sign.
5. Looking to go live this month with the telephone system auto-attendant after training has been completed with the Customer Service Manager which is in the process of being scheduled.

GIS/Cyber-Security Dept.:

GIS:

6. Currently installing GIS software on newly provisioned servers.
7. GPS/GIS technician Jarod is scheduled for a Mobile Data Collection workshop.
8. GIS specialist Chris is scheduled for a mid- Atlantic ESRI User Conference in December.

Cyber-Security:

9. Currently collecting information regarding a new offering from Cyber JIF concerning training and vulnerability testing.
10. NJCCIC Annual Cyber Security Program Controls Assessment portal has opened and the submission is due by Dec. 1 which will be met.
11. Authority staff continues to perform well on phishing email tests.

XI. Commissioners' Report

Senator Singer asked when the budget will be ready. Mr. Bauer said it should be able to be adopted at the November meeting.

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

Motion to adjourn made by Mr. Theibault and seconded by Mrs. Fish
The meeting was adjourned at 10:35 A.M.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA