



Board of Commissioners
Senator Robert Singer, Chairman
Mayor Raymond Coles, Vice Chairman
Craig Theibault, Treasurer
Anne Fish, Assistant Secretary
P. G. Waxman, Commissioner
Samuel Flanbaum, Alt. Commissioner
Meir Lichtenstein, Alt. Commissioner

THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Regular Meeting Minutes

October 14, 2020

- I. Senator Singer opened the meeting at 11:00 A.M. via teleconference.
- 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 7, 2020 and The Tri Town News on February 12, 2020 again in the Asbury Park Press on September 28, 2020 and The Tri-Town News on September 30, 2020.
- III. **Salute to the Flag**
- IV. **Roll Call of Commissioners**
On roll call the following Commissioners were present: Committeeman Lichtenstein, Mr. S. Flanbaum, Mr. Theibault, Mayor Coles, Mrs. Fish and Senator Singer. Mr. S. Flanbaum was seated as an alternate. The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq., Mr. Gerwin Bauer, Auditor, Mr. Justin Flanbaum, Executive Director, Mr. Daniel Rappoccio, CFO, Mr. Colin Farrell, CEng MIEI, Director of Engineering and Mr. Robert Farina, Director of Operations.
- V. **Minutes**
A **motion** to approve the minutes of the Regular Meeting held on September 1, 2020, was made by Mr. S. Flanbaum and seconded by Mrs. Fish. On **roll call**, all members present voted "**Yes**". **Motion carried.**
- VI. **Chief Financial Officer Report**
 1. **Financial Results Review For Period Ending September 30, 2020**
The Authorities net position for the period ending September 30, 2020 is approximately \$3.8 Million. This is approximately \$1.1 Million ahead of the budget year to date. The Authority's operating revenue is approximately \$10.7 Million. This is approximately \$1.2 Million ahead of the budget. This continues to be driven by the water and sewer service charges and non-recurring connection fees. The Authority's Operating Expenses are approximately \$6.8 Million. It is almost in line with budget, slightly ahead of the budget. There is one more month before the end of the fiscal year. It looks like the Authority will come in right at budget or slightly behind

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Mr. Waxman joined the meeting via conference call.

2. Motion to Approve Operating Vouchers

Mr. Rappoccio provided the commissioners with a list of abstentions. The amount for the Operating Expense Vouchers is \$1,199,093.89. A **motion** to approve operating vouchers in the amount of \$1,199,093.89 was made by Mr. Waxman, seconded by Mrs. Fish. Mr. S. Flancbaum is no longer seated as an alternate. On **roll call**, all members present voted, "Yes" with **noted abstentions**. **Motion Carried.**

3. Resolution to Accept 20-21 Budget Extension

Mr. Rappoccio is working with Mr. Bauer on the budget and would like to extend the due date of the budget. Mr. J. Flancbaum read **Resolution No. 20-91 2020-2021 Water/Sewer Budget Extension**. Motion was made by Mr. Waxman, seconded by Mrs. Fish. On **roll call**, all members present voted "Yes". **Adopted.**

VII. Engineer's Report

1. 36 Airport Road Building Addition (36 Airport Rd, LLC – Menashe Frankel)

- Resolution Releasing Performance Guarantees

On October 9, 2020 the Authority issued a letter indicating the items required for the performance guarantee to be released. At this time the Authority may release the performance guarantees for the water and sewer lateral abandonments conditioned on the Authority's letter dated October 9, 2020. Mr. J. Flancbaum read **Resolution No. 20-92 Releasing Performance Guarantees 36 Airport Road Addition**. Motion was made by Mr. Waxman, seconded by Mrs. Fish. On **roll call**, all members present voted "Yes". **Adopted.**

2. Cedarbridge Avenue Retail Center (CBRC Holdings, LLC – Joseph Michael)

- Resolution Granting Final Approval

On September 22, 2020 GTS Consultants issued shop drawing review no. 2. At this time the Authority may grant final approval for the water main extension necessary for the Cedar Bridge Avenue Retail Center Development conditioned on the GTS Consultants review letter dated August 10, 2020. Mr. J. Flancbaum read **Resolution No. 20-93 Grant Of Final Approval Cedarbridge Avenue Retail Center**. Motion was made by Mr. Waxman, seconded by Mrs. Fish. On **roll call**, Mrs. Fish, Mr. Waxman, Mayor Coles and Mr. Theibault voted "Yes". Senator Singer abstained. **Adopted.**

3. Woodlake Village 23 Apartments (Woodlake Village, LLC – Mark Schron & Abe Auerbach)

- Resolution Authorizing Executive Director to Endorse Applications

At this time the Authority may authorize the Executive Director to endorse applications for the Woodlake Village 23 Apartments project. OCUA approval is required due to the proposed development generating over 2,000 gallons per day of sanitary sewer flow. Mr. J. Flancbaum read **Resolution No. 20-94 Authorizing The Executive Director To Endorse Applications Woodlake Village 23 Apartments**. Motion was made by Mr. Waxman, seconded by Mrs. Fish. Mr. Theibault said that he works with Mr. Auerbach but has not been engaged yet on this project, should he abstain. Mr. Pfeffer said he should abstain. On **roll call**, Mrs. Fish, Mr. Waxman, Mayor Coles and Senator Singer voted "Yes". Mr. Theibault abstained. **Adopted.**

4. Cedarbridge Corporate Park (Cedarbridge Development, LLC – Jack Mueller)

- Resolution Approving Terms of Amended Developer's Agreement

Mr. Pfeffer gave a brief overview on this project. Either in March or April of this year, the Authority was approached by Cedarbridge Development to take a look at the original Developer's Agreement which was dated November 2002. Recently the Cedarbridge Development Corporation had a contract to sell some properties to a developer. That deal died but during the due diligence some questions were asked regarding the availability on the water and sewer capacity. Based upon that, Cedarbridge went ahead and did their own new capacity analysis. They provided a report to the Authority and we had our engineers review it. Based on that, we had several meetings and conference calls with Cedarbridge to amend the agreement. Mr. Pfeffer wants to go over the highlights of the agreement. The original Developer's Agreement contemplated approximately fifteen buildings totaling 1.5 million square feet of commercial improvements. To date there is approximately 909,000 square feet of commercial improvements that have either been approved and/or constructed at this time. The capacity of the site accommodates the feasibility of them developing an estimated 3.3 million square feet of commercial improvements, between office, retail and hotel uses. The developer requests that the Authority confirm the available capacity of the sewer and water system that may be needed to meet the future demand of this project. The developer asked the Authority not only to confirm but to reserve the capacity. Mr. Pfeffer said he told them the Authority cannot reserve it unless they are willing to pay for it today, which they were not going to do. This basically amends the original understanding of what was there. We confirmed based on the assumptions contained in the report provided by the developer, the Authority anticipates that there will be sufficient available capacity within the sewer system and with the distribution system to meet all future allocation demands of the project. Those were the main items that were amended. Mr. J. Flanbaum read **Resolution No. 20-95 Approving Terms Of An Amended Developer's Agreement Cedarbridge Corporate Park**. Motion was made by Mayor Coles, seconded by Mr. Theibault. On **roll call**, Mrs. Fish, Mayor Coles, Mr. Theibault and Senator Singer voted "**Yes**". Mr. Waxman stated he is not voting. **Adopted.**

5. Well No. 15 Emergency Repairs 2020

- Resolution Declaring an Emergency to Repair Well No. 15
- Resolution Awarding Contract

On September 11, 2020 Well No. 15 shut down at approximately 4 A.M. After investigation it was determined that the pump and motor needed to be pulled. The well driller pulled the pump and motor assembly. AC Schultes provided a proposal to install a new vertical turbine pump and motor, install discharge piping, and all other associated materials necessary for installation in the amount of \$66,770.00. The Authority Engineer issued a memo indicating the pump and motor replacement of Well No. 15 is necessary for the health and safety of the public. First Resolution - At this time the Authority may issue a resolution declaring an emergency as recommended by the Authority Engineer as indicated in the memo dated October 9, 2020. Second Resolution - The Authority may award a contract under emergency conditions to AC Schultes for repairs at Well No. 15 in the amount of \$66,770.00. Mr. J. Flanbaum read **Resolution No. 20-96 Declaring An Emergency To Repair Well No. 15**. Motion was made by Mr. Theibault, seconded by Mrs. Fish. On **roll call**, all members present voted "**Yes**". **Adopted.** Mr. J. Flanbaum read **Resolution No. 20-97 Awarding Contract To Repair All Necessary Items At Well Of No. 15 Pursuant To The Declaration Of Emergency**. Motion was made by Mrs. Fish, seconded by Mr. Theibault. On **roll call**, all members present voted "**Yes**". **Adopted.**

6. NJDOT Intersection Improvements New Hampshire Avenue & Route 70

- Resolution Approving Terms of Agreement with NJDOT (Water)
- Resolution Approving Terms of Agreement with NJDOT (Sewer)

The NJ DOT issued a letter to the Authority containing agreements for improvements to the New Hampshire Avenue and Route 70 intersection. The agreements are for the Authority to be reimbursed for design and construction necessary to relocate the Authority's water and sanitary sewer lines, if needed at the intersection. At this time the Authority may accept the terms of the agreement with the NJDOT for any work needed to modify or relocate the Authority's water lines due to the intersection improvements proposed by the NJDOT. The second resolution is the same but to move the sewer lines. Senator Singer asked if they will be upgraded when they are moved. Mr. J. Flancbaum said first we will see if it needs to be moved. They will send the Authority a set of plans and we will take a look at it. Mr. J. Flancbaum read **Resolution No. 20-98 Authorizing The Execution Of An Agreement With NJ DOT (Water)**. Motion was made by Mr. Theibault, seconded by Mrs. Fish. On **roll call**, all members present voted **"Yes"**. **Adopted**. Mr. J. Flancbaum read **Resolution No. 20-99 Authorizing The Execution Of An Agreement With NJ DOT (Sewer)**. Motion was made by Mrs. Fish, seconded by Mr. Theibault. On **roll call**, all members present voted **"Yes"**. **Adopted**.

7. Pine Street Vassar Avenue Gravity Sewer Line

- Resolution Awarding Change Order No. 4

The Authority received Change Order request No. 4 from P&A Construction for remobilization in order to pave East Spruce Street and Albert Avenue at a later date in the amount of \$7,500.00. At this time the Authority may approve Change Order No. 4 for \$7,500.00. This will be reimbursed by the developer. Mr. J. Flancbaum said it is Platinum Developers. Senator Singer explained this work was just done and it needs thirty days to settle, otherwise there will be a problem with the paving job. They are finished all the other paving work. The developer has agreed to pay \$7,500.00 for the remobilization and then of course the Authority will pay for the paving. Mr. J. Flancbaum read **Resolution No. 20-100 Authorizing Change Order No. 4 Vassar Avenue Sewer Main Project**. Motion was made by Mrs. Fish, seconded by Mr. Waxman. On **roll call**, all members present voted **"Yes"**. **Adopted**.

8. Well 15 GAC Media Replacement

- Resolution Awarding Change Order No. 1

The Authority received Change Order No. 1 from Mott MacDonald for additional construction phase services work in the amount of \$9,980.01. At this time the Authority may award Change Order No.1 to Mott MacDonald in the amount of \$9,980.01. Senator Singer asked why. Mr. Farrell said this was for additional inspection for the GAC replacement on the second vessel. Senator Singer asked if it was warranted and needed to be done. Mr. Farrell said yes. Mr. J. Flancbaum read **Resolution No. 20-101 Authorizing Change Order No. 1 Replacement Of Well 15 Granular Activated Carbon Media Contract No. 27**. Motion was made by Mr. Waxman, seconded by Mrs. Fish. On **roll call**, all members present voted **"Yes"**. **Adopted**.

9. Fire Hydrant Replacement Project 2019

- Resolution Awarding Change Order No. 1

The Authority received Change Order No. 1 from Maser Consulting for additional construction phase services work and expenses in the amount of \$3,150.00. At this time the Authority may approve Change Order No.1 from Maser Consulting for additional construction phase services work and expenses in the amount of \$3,150.00. This is for additional work after the replacement of the fire hydrants. This is reasonable. Mr. J.

Flanbaum read **Resolution No. 20-102 Authorizing Change Order No. 1 For The Fire Hydrant Replacement Project**. Motion was made by Mr. Theibault, seconded by Mrs. Fish. On **roll call**, all members present voted **“Yes”**. **Adopted**.

10. RFQs for Engineering Services for Calendar Year 2021

- Motion Authorizing Issuance of Request for Qualifications
Updated documents will be sent to perspective engineering firms that were approved last year. Documents will be posted on the Authority website and in newspapers in accordance with the requirements of the Pay to Play regulations so the documents received will be considered as fair and open. At this time the Authority may authorize the issuance of the Request for Qualifications for Professional Engineering Services for the calendar year 2021. A **motion** to authorize issuance of request for qualifications for Engineering Services For Calendar Year 2021 was made by Mr. Waxman, seconded by Mrs. Fish. On **roll call**, all members present voted **“Yes”**. **Motion carried**.

VIII. Attorney's Report

Mr. Pfeffer said it has been business as usual.

IX. Executive Director's Report

1. 2020 Tax Sale

This year's tax sale started with 611 properties with outstanding balances of \$338,447.73 as of December 31, 2019. As of yesterday, the Authority collected about \$259,000.00. There were 138 properties that went to Tax Sale with an outstanding balance of \$79,892.53. That will be paid in full upon completion of the Tax Sale. This year's Tax Sale was a bit more challenging than other years due to Covid 19 and some other factors that had to be contended with. Mr. J. Flanbaum wanted to thank Robyn and the entire customer service and billing staff for all their hard work. He would also like to thank Effie Presley, the Lakewood Township Tax Collector and her staff for the continued cooperation and assistance during the Tax Sale season. Senator Singer said thank you and kudos to the staff, it is very much appreciated. A nice thank you note should be sent to the Tax Office. Mr. J. Flanbaum said he will send a note.

X. Technical Operations Report

Field Operations Report:

1. Well No. 15 status

We are in the process of repairing the burned up Well No. 15 motor. The well is being modified to a vertical turbine operation from a submersible type. Our past experiences have proven that the submersible design has not worked well for the Authority. It causes us to make frequent replacements to the pump and motor when issues arise. This makes us dependent on using the services of the well driller in order to do anything on the well. The vertical turbine type of pumping will in the very least, allow us to work on electrical and motor issues more independently without having to pay a well driller to pull out those assemblies. The Authority should see an improved longevity from the equipment.

Technical Operations:

2. Lightning strike damage report update

All the electronic process transmitters, IT switches, meters, microwave radios, various electrical devices and SCADA equipment that was either damaged or destroyed in the August 12th lightning strike has been repaired or replaced and is now operational.

IT Department:

3. Fiber Optic network work

With the assistance from our vendor, IT has performed an analysis on our existing fiber optic network at the New Hampshire Avenue site. We are awaiting a proposal on the replacement of a couple of distressed lines and to expand the capability of them to carry more data.

4. Tel-Com upgrade final status

The final phase of the Authority's Tel-Com upgrade is completed.

GIS Department:

5. Hydrant data and the WQAA

A hydrant inspection process and tracking mechanism was completed in order to comply and meet the Water Quality Accountability Act requirements.

6. Pipe leak data capture

We are currently entering historic piping leak data and creating a workflow to capture new piping leaks as they occur for the Authority's GIS data base entry.

7. WQAA & Emergency Management Plan report status

Our GIS specialist provided data to our engineering consultant for the completion of the Water Quality Accountability Act Report and our Emergency Management Plan.

Senator Singer thanked Mr. Farina and also wanted to thank Mr. McBride for a great job keeping everyone in the loop.

XI. Commissioners' Report

XII. MEETING OPEN TO THE PUBLIC

XIII. ADJOURNMENT

A motion was made by Mr. Waxman, seconded by Mrs. Fish to adjourn meeting. On a **voice vote**, all members present voted, "**Aye**". The meeting was adjourned at 11:28 A.M.

Respectfully submitted,

Nechama Lapa,
Secretary, LTMUA