



**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**

**September 7, 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, Mr. Theibault, Mr. S. Flancbaum, Committeeman Lichtenstein and Senator Singer.  
Mr. S. Flancbaum was seated in place of Mrs. Fish and Committeeman Lichtenstein in place of Mayor Coles.

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 August 2, 2022, was made by Mr. Theibault and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted **"Aye."** **Motion carried.**
- VI. **Chief Financial Officer Report**

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

  1. **Great West/Empower Resolution**

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**LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

390 NEW HAMPSHIRE AVENUE, LAKEWOOD, NEW JERSEY 08701

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Great Western provides a 457(b) deferred retirement to our employees. Great Western has assigned provisions of these services to its wholly owned subsidiary Empower Retirement, LLC. Services will remain unchanged; we need to update our Service Agreement to name Empower as our provider.

- **Resolution No. 22-66 Adopting a Prototypical Service Agreement Empower Retirement, LLC**

**Motion** was made by Committeeman Lichtenstein and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted **“Yes”**. **Adopted.**

## **2. 3rd Quarter Financial Results Overview**

YTD

Revenue is ahead of budget by \$295k mostly attributable to:

Connection Fees – 826k

Commercial & Industrial Water & Sewer – 304K

Expenses are below budget by \$302k mostly attributable

to: Healthcare and Retirement Costs - \$425k

Compensation – 59k

Senator Singer asked how could we have reduced usage?

He tells Mr. J. Flancbaum that he is going to have to take a look at this as it makes no sense that usage is down-you are putting up more houses. Mr. J. Flancbaum says the will take another look.

Offset by: OCUA Sewer – 76k (117K prior year deficiency)

Plant Repairs & Maintenance – 134k

Net position is better than budget by 598k

## **3. Billing Initiatives Update**

We have been working on several initiatives within the billing function over the last several months. These improvements will further the efficiency of the billing function and provide online services to our ratepayers. The initiatives were completed in succession, and they are:

- Transition to PDF letter bills vs post cards. This enables us to add messages to the invoices where needed. In addition, by mailing via envelope we can include stuffers e.g. to encourage online bill payment.
- Starting with our August bills mailed in September, we have outsourced our printing, envelope stuffing and mailing to BP Printing. We evaluated both BP Printing and Kintech for price and ability to deliver and chose BP Printing. Bills are delivered to BP via secure link which enables them to download and print the bills.
- Lastly, and most exciting, the development of the PDF invoice enables us to now offer eBilling as an option for our ratepayers. With minor website development, which is complete and successfully tested, ratepayers may request email PDF bills and forego paper mailings. The eBilling initiative is complete except for our communication strategy. eBilling offering will go live in mid-September.

Senator Singer suggested that at some point you will need to go to a Lock Box, it's standard in the industry. We haven't done it because we really aren't that big but if we are streamlining things, you may want to look into it in the future.

Mr. Theibault asked if there has been any analysis on the cost of doing letters instead of postcards. Mr. Sondak responded by explaining they looked at our current cost and our current process and then looked at 2 separate vendors. On a full year basis it's probably 3-4 thousand dollars more expensive to do the letter because we are buying more envelopes. We pay BP Graphics to come here to pick up the bills and take them to the post office so we can get the benefit of their discount. Instead of that, we will pay them to print and stuff envelopes. There's a little bit of an increase but we are saving time on the manual labor. This frees up the billing group to do more analytics in our new census system and get into the business of water and sewer instead of the clerical side of pushing paper out.

#### **4. Motion to Approve Operating Voucher**

The Operating Voucher in your Board Packet is \$509,587.14. The Operating list is hereby amended with a Levin Shea Pfeffer & Goldman invoice in the amount of

\$1,250 to a revised total of \$510,837.14. There are no out-of-the-ordinary monthly issues to note. I recommend that the board approve the Operating Voucher as amended at \$510,837.14 with noted abstentions.

**Motion** was made by Mr. Theibault and seconded by Mr. S. Flancbaum. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

Mayor Coles and Mrs. Fish are seated in place of Mr. S. Flancbaum and Committeeman Lichtenstein.

Mr. Bauer reported that everything is going great, the draft is complete , waiting for the old actuarial report to come out and Mr. Sondak has already begun the initial steps to the budget.

## VII. Engineer's Report

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

### 1. Magnolia I (*Menachem Gutfreund*)

Mr. Ponsi stated on September 2, 2022 the Authority issued a maintenance guarantee release letter detailing the items required for the maintenance guarantees to be released. At this time the Authority may release the maintenance guarantees for the Magnolia I development conditioned upon the Authority's letter dated September 2, 2022.

- **Resolution No. 22-67** Releasing Maintenance Guarantees Magnolia I  
**Motion** was made by Mr. Theibault and seconded Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted.**

### 2. 1200 Paco Way Fire Service (*Cyma Builders-Daniel Baunach & Sudler-Kevin Painter*)

Mr. Ponsi reported the Authority may accept the terms of the Developer's Agreement for the 1200 Paco Way Fire Service project. There are no site specific terms for this project.

- **Resolution 22-68** Authorizing the Execution of Developer's Agreement 1200 Paco Way Fire Service  
**Motion** was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, Senator Singer voted **"No"**, all other seated members voted **"Yes"**. **Adopted.**

### 3. Joe Parker Road School #4 (*Lev Avoth Foundation, LLC-Rabbi Isaac Grossman*)

Mr. Ponsi stated the Authority may accept the terms of the Developer's Agreement for the Joe Parker Road School #4 project. There are no site specific terms for this project.

Motion was made to retract Resolution No. 22-69 that was read incorrectly. Motion made by Mr. Theibault and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**.

- **Resolution No. 22-69** Authorizing the Execution of Developer's Agreement Joe Parker Road School #4  
**Motion** was made by Mr. Theibault and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted.**

### 4. 1990 Swarthmore Avenue School Conversion (*Yeshiva Toras Menachem, Inc-Chaim Mandel & Regency Developers-Abe Aurbach*)

Mr. Ponsi stated there are site specific terms for the Developer's Agreement for the 1990 Swarthmore Avenue School Conversion project:

The Developer agrees to pay \$25,000 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.

At this time the Authority may accept the terms of the Developer's Agreement as described in Schedule "B".

- **Resolution No. 22-70** Authorizing the Execution of Developer's Agreement 1990 Swarthmore Avenue School Conversion  
**Motion** was made by Mr. Theibault and seconded by Mrs. Fish. On **roll call**, Mr. Theibault abstained all other seated members voted **"Yes"**. **Adopted**.

**5. 485 Oberlin Avenue 2 New Buildings** (*485 Oberlin Owner, LLC-Chaim Abadi*)

Mr. Ponsi reported that at this time the Authority may authorize the Executive Director to endorse applications for the 485 Oberlin Avenue 2 New Buildings project. OCUA approval is required due to the proposed development generating over 2,000 gpd of sanitary sewer flow.

- **Resolution No. 22-71** Authorizing Executive Director to Endorse Applications 485 Oberlin Avenue 2 New Buildings  
**Motion** was made by Mr. Theibault and seconded by Mayor Coles. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

**6. Woodlake Village Buildings 3 & 4** (*Tivoli at Woodlake, LLC-Michael Zucker*)

Mr. Ponsi reported that on August 23, 2022 Remington Vernick issued review #3 and at this time the Authority may grant conceptual, technical and final approval for the Woodlake Village Buildings 3 & 4 project conditioned upon the Remington Vernick review letter dated August 23, 2022.

- **Resolution No. 22-72** Granting Conceptual, Technical & Final Approval Woodlake Village Buildings 3 & 4  
**Motion** was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

**7. Vassar Avenue to OCUA Conceptual Design & Cost Analysis**

Mr. Ponsi reported this is an extension of the Sanitary Sewer Master Plan which analyzed our system for full build out of our system and showed problem areas that would need to eventually be upgraded for the system as we experience full build out. We contracted with T&M Associates to analyze one of those sections which was indicated to be over capacity at full build out. That's from Vassar Avenue to the Swarthmore Avenue to where it connects to the OCUA. They did a conceptual design for us and a cost estimate for the entire run and individual breaks all the way through. The report indicates it's going to be a \$6.5 million sewer replacement project that's going to be needed to accommodate all the flow and improvements that will eventually connect into this line. At this time we are looking for the Authority to adopt this report and based on this report we will collect fair share contributions to every developer that connects into the line upstream.

- **Resolution No. 22-73** Adopting Report for Future Fair Share Contributions  
**Motion** was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

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

Mr. Farrell stated that at this time the Authority may authorize the Notice to Bidders for the construction of the Pine Street Production Wells #20 & #21.

- **Motion Authorizing Notice To Bidders**

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

**9. OLV & LVE Irrigation Metering**

Mr. Farrell stated that at this time the Authority may authorize the Notice to Bidders for the OLV & LVE Irrigation Metering project.

- **Motion Authorizing Notice To Bidders**

**Motion** was made by Mayor Coles and seconded by Mrs. Fish. On **voice vote**, all seated members voted “**Aye**”. **Adopted**.

**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. Resolution Authorizing Execution of First Amendment to commodity Demand Agreement with NJ American Water Company**

Our water purchase agreement with the Brick MUA is due to expire on January 1, 2023. We are currently contracted to purchase 300,000 gallons a day from Brick. The agreement allows either party to cancel the agreement with a minimum of 120 days notice prior to the expiration date. On August 12<sup>th</sup> we were notified by Brick that they do not wish to extend the agreement past the expiration date.

We have successfully negotiated an amendment to our contract with NJAW to add the 300,000 gallons a day from them. So moving forward we will purchase a total of 750,000 gallons a day from NJ American Water and nothing from Brick.

From an operational perspective the new interconnection on Chestnut St with NJAW provides greater benefit to our system than the Shorrock St Brick MUA location so we are very happy with this deal.

- **Resolution No. 22-74** Authorizing Execution of First Amendment to Commodity Demand Agreement with NJ American Water Company.

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

## **2. Resolution Awarding One Year Maintenance Contract to Let's Think Wireless, LLC for Maintenance and Support of Microwave Radio System**

Let's Think Wireless developed and installed our microwave radio system and has provided excellent support to date. Their support includes preventative maintenance, onsite support for 8 Ceragon microwave links including hardware warranty support, and support for our 900 MHZ link,. The support period is from August 1, 2022, through August 31, 2023 for a total of \$41,691 which is the same price as last year.

- **Resolution No. 22-75** Awarding One Year Maintenance Contract to Let's Think Wireless, LLC for Maintenance & Support of Microwave Radio System  
**Motion** was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted**.

## **X. Technical Operations Report**

Given by Mr. Bob Farina, Director of Operations

Senator Singer asked if the new meters are working with our system and are we stocking more meters? Both Mr. J. Flancbaum and Mr. Farina respond "yes" and "yes". Mr. J. Flancbaum said we placed an order with Ferguson that is about 16 weeks out but we were told by Ferguson that we will receive a portion of the order monthly. We also received an order from Core and Main for an order we placed months back. Senator Singer stressed the importance of making meter replacement a priority as well as stocking meters.

### **Operations Dept:**

1. Hydrant painting is well under way.
2. We had a visit from Greg Schussler who is our NJDEP compliance officer. He came to our site to physically review our water storage tank maintenance and inspection records which he found acceptable and well in order. I am proud to report that he went out of his way to tell us how well organized our Authority is and how he finds the impeccable condition the facilitates are always in when he visits. He also shared that he regularly refers to our example to other facilities that he visits as well.

### **Technical Operations Dept:**

3. All SCADA and Communications systems are working well.
4. We are currently replacing motor controllers for aging and failing Shorrock WTP roof ventilation fans.
5. The work continues regarding the installation of surge arrestors for the field instrumentation.

### **IT Dept:**

6. NH Ave. Vehicle Storage Bldg. card key access control upgrade is completed and working fine. Our plan going forward is to complete the upgrade in sections until completed.
7. The outdoor sign computer controller and cabling upgrade has been completed as well.

8. We are waiting on a proposal from our radio contractor LTW for a small 900 MHZ radio install at our new Chestnut St. NJAW interconnect.

**GIS/Cyber-Security Dept:**

**GIS:**

9. Created an iPad application and report to track hydrant repairs and improvements found during the 2022 flushing.
10. Revamping the method on how scanned plans that are located and accessed in GIS using ESRI software.

**Cyber-Security:**

11. Completed NJ MEL/JIF GAP Study Questionnaire.

Senator Singer asked Mr. Robbins if we have enough field personnel, I want to make sure we have enough people for the meter replacements. Mr. Robbins said we do and we are in the middle of the hiring process for a new employee now too.

Senator Singer mentioned that he got the chance to speak with the DEP Commissioner recently and he told him we are interested in purchasing an electric vehicle but there are none on state contract right now. The commissioner responded that it's being worked on.

Mr. Theibault noticed that we have (2) dead trees, including an Arbor Day one from years back, in the front of the building. He contacted Public Works to replace them. Senator Singer suggested we will have our landscape company remove the trees and replace them. Mr. J. Flancbaum agreed and said he will contact Meticulous Landscaping.

**XI. Commissioners' Report**

**XII. MEETING OPEN TO THE PUBLIC**

**XIII. MEETING CLOSED TO THE PUBLIC**

- XIV. Resolution No. 22-76 To Go Into Closed Session to discuss Pension Litigation**  
**Motion** was made by Mayor Coles and seconded by Mrs. Fish. On **roll call**, all seated members voted **"Yes"**. **Adopted.**

Closed session lasted from 10:42 until 10:52.

**XV. 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 10:52 A.M.



Respectfully submitted,

Robyn Gray,  
Secretary, LTMUA