



**Board of Commissioners**

*Senator Robert Singer, Chairman*

*Mayor Raymond Coles, Vice Chairman*

*Craig Theibault, Treasurer*

*Anne Fish, Assistant Secretary*

*P. G. Waxman, Commissioner*

*Samuel Flancbaum, Alt. Commissioner*

*Meir Lichtenstein, Alt. Commissioner*

**THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting Minutes**

**May 5, 2020**

- I. Senator Singer opened the meeting at 10:00 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 and again in the Asbury Park Press on April 28, 2020.

**III. Salute to the Flag**

Senator Singer said let us all pray for those that are sick and have lost their lives in these terrible times. May we pray that we meet again and everyone will be well. Amen. Senator Singer would like to thank Mr. Lichtenstein and Hatzalah for the fabulous job they have done, thank you to all the emergency workers and a special thank you to Mayor Coles who has done a spectacular job.

**IV. Roll Call of Commissioners**

On roll call the following Commissioners were present: Committeeman Lichtenstein, Mr. S. Flancbaum, Mr. Theibault, Mayor Coles, Mr. Waxman, Mrs. Fish 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. 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 March 3, 2020, was made by Mrs. Fish Coles and seconded by Mayor Coles. On **roll call**, all members present 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

### Added on to Agenda

#### **Resolution Ratifying Phone Poll of April 1, 2020 Approving Payment of March Operating Vouchers**

The total that was approved via phone poll was \$465,850.84. Mr. J. Flancbaum read **Resolution No. 20-49 Ratifying Phone Poll of April 1, 2020 Approving Payment of Bills**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On **roll call**, all members present voted “**Yes**”. **Adopted**.

#### 1. **Financial Results Review For Period Ending April 30, 2020**

The Authorities net position for the period ending April 30, 2020 is approximately \$1.7 Million. This is approximately \$278,000.00 ahead of the budget year to date. The Authority’s operating revenue is approximately \$5.7 Million. This is approximately \$209,000.00 ahead of the budget. This continues to be driven by the water and sewer service charges. The Authority’s expenses are approximately \$3.9 Million. It is approximately \$70,000.00 ahead of the budget. The Authority is favorable to the expenses. Bill payments are being processed as they come in. The expenses are continuing to be monitored through this pandemic.

#### 2. **Motion to Approve Operating Vouchers**

Mr. Rappoccio provided the commissioners with a list of abstentions. The amount for the Operating Expense Vouchers is \$1,175,770.04. A **motion** to approve operating vouchers in the amount of \$1,175,770.04 was made by Mr. Waxman, seconded by Mayor Coles. On **roll call**, all members present voted, “**Yes**” with **noted abstentions**. **Motion Carried**.

## VII. Engineer’s Report

#### 1. **Lanes Mill Road 22 Unit Development (Arm Land Group, LLC – Aharon Mansour)**

##### Resolution Reducing Performance Guarantees

On April 27, 2020 the Authority issued a letter detailing the amounts the performance guarantees can be reduced. At this time the Authority may reduce the performance guarantees held for the Lanes Mill Road 22 Unit Development in the amounts as detailed in the Authority’s April 27, 2020 letter. Mr. J. Flancbaum read **Resolution No. 20-50 Reducing Performance Guarantees Lanes Mill Road 22 Unit Development**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On **roll call**, all members present voted “**Yes**”. **Adopted**.

#### 2. **Cedar Bridge Avenue Retail Center (Joseph Michael & Aaron Mueller)**

##### Resolution Granting Conceptual and Technical Approval (Water Only)

On March 16, 2020 GTS Consultants issued conceptual and technical review no. 2. At this time the Authority may grant conceptual and technical approval for the water main extension necessary for the Cedar Bridge Avenue Retail Center Development conditioned on the GTS Consultants review letter dated March 16, 2020. Senator Singer asked who the developer is. Mr. Farrell responded the developer is CBRC Holdings, Mr. Joseph Michael. Mr. J. Flancbaum read **Resolution No. 20-51 Granting Conceptual and Technical Approval Cedar Bridge Avenue Retail Center**. Motion was made by Mayor Coles, seconded by Mr. Theibault. On **roll call**, all members present voted “**Yes**”. **Adopted**.

### 3. Admin Building Renovation and Expansion (Addition)

- Resolution Awarding Change Order No. 8
- Resolution Awarding Professional Services Contract
- Motion Authorizing Issuance of Notice to Bidders

On April 29, 2020 the Authority received a letter from Nordfors Architecture detailing changes in the electrical work required for the project for a net credit to the Bismark contract in the amount of \$2,725.96. At this time the Authority may award Change Order No. 8 in the net credit amount of \$2,725.96. Mr. J. Flancbaum read **Resolution No. 20-52 Awarding Change Order No. 8 Administration Building Renovation and Expansion**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On **roll call**, all members present voted **"Yes"**. **Adopted**.

On April 24, 2020 the Authority received a proposal from Nordfors Architecture for preparing specifications for the first floor renovation in the amount of \$5,500.00. At this time the Authority may award a professional services contract to Nordfors Architecture in the lump sum amount of \$5,500.00. Mr. J. Flancbaum read **Resolution No. 20-53 Awarding Professional Services Contract Administration Building Renovation and Expansion**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On **roll call**, all members present voted **"Yes"**. **Adopted**.

At this time the Authority may authorize the issuance of the notice to bidders for the first floor improvements to the Authority's existing building. A **motion** to authorize issuance of the notice to bidders was made by Mr. Waxman, seconded by Mayor Coles. On **roll call**, all members present voted, **"Yes"**. **Motion Carried**.

### 4. County Line Manor Pump Station Upgrades Gravity Sewer Main

- Resolution Awarding Professional Services Contract

On December 6, 2019 the Authority received a proposal from GTS Consultants for providing as-built plans for the project in the cost not to exceed amount of \$17,800.00. At this time the Authority may award a professional services contract to GTS Consultants for \$17,800.00. Mr. J. Flancbaum read **Resolution No. 20-54 Awarding Professional Services Contract County Line Manor Pump Station Upgrades/ Gravity Sewer Main**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On **roll call**, all members present voted **"Yes"**. **Adopted**.

### 5. Pine Street Vassar Avenue Gravity Sewer Line

- Resolution Awarding Change Order No. 1

On April 30, 2020 the Authority received a letter from CME Associates detailing and summarizing the P&A Construction Change Order requests. At this time the Authority may award Change Order No. 1 to P&A Construction for the change of materials for the couplings, sewer laterals, installation of tracer wire and installation of the manhole drop bowl in the amount of \$15,800.58. Senator Singer said that this is being done at the request of the Authority. Mr. J. Flancbaum read **Resolution No. 20-55 Awarding Change Order No. 1 Pine Street Vassar Avenue Gravity Sewer Line**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On **roll call**, all members present voted **"Yes"**. **Adopted**.

### 6. County Intersection Improvements Locust Street & Vermont Avenue

- Resolution Modifying Shared Services Agreement with Ocean County

On March 18, 2020 Earle Asphalt and Cutter Drill submitted a change order request to Ocean County for installation of a water sampling station and installation of a valve

bonnet. At this time the Authority may modify the shared services agreement with Ocean County to increase the reimbursement amount to Ocean County for the water sampling station and the valve bonnet installations in the amount of \$7,237.20. Mr. J. Flancbaum read **Resolution No. 20-56 Modifying Shared Services Agreement with Ocean County**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On roll call, all members present voted "Yes". **Adopted.**

#### **7. Conversion of New Hampshire Treatment Plant Chlorine System**

- Motion Authorizing Issuance of Notice to Bidders

At this time the Authority may authorize the issuance of the notice to bidders for the Conversion of the New Hampshire Water Treatment Plant Chlorine System project. A **motion** to authorize issuance of the notice to bidders was made by Mrs. Fish, seconded by Mayor Coles. On **roll call**, all members present voted, "Yes". **Motion Carried.**

#### **VIII. Attorney's Report**

Mr. Pfeffer said he has information on the Mallen litigation. He had the opportunity to speak with everybody about the mediation that was had. He thinks he was able to resolve the case. There was an access easement and Mr. Mallen made a claim of loss of business along with some damage and trespass claims. The Authority said throughout the entire process it had no liability and as the Senator and commissioners all indicated, we were trying to keep the fees down as much as possible as this drags on through the discovery process. This ended up with mediation. At the mediation we ended up settling the case for a total of the Authority's portion of \$25,000.00. The Authority had an estimate from Mr. Stanzone, the attorney handling the litigation portion. If this went to trial it would cost at least the \$25,000.00 that we are putting up for settlement. We would not know if the judge or jury would tag the Authority for anything past that. Based upon that, it is recommended to settle the Authority's portion for \$25,000.00. The total settlement is for \$135,000.00. \$70,000.00 is coming from Pillari Bros., the contractor and \$40,000.00 from Mark-O-Lite Sign Co. We are getting releases from all parties. Mr. J. Flancbaum read **Resolution No. 20-57 Authorizing Execution Of Settlement Agreement For Mallen Associates LLC Versus Lakewood Township MUA**. Motion was made by Mr. Waxman, seconded by Mayor Coles. On **roll call**, all members present voted "Yes". **Adopted.**

Mr. Pfeffer said that Developer's Agreements meeting are being held via zoom and conference calls and he is on top of all the projects. Senator Singer thanked Mr. Pfeffer for settling the case and bringing it to an end. Good job done.

#### **IX. Executive Director's Report**

##### **1. Resolution awarding contract for Landscape Maintenance Service for 2020 season**

A Request For Proposals opening was conducted on May 1, 2020. One proposal was received. It was from Meticulous Landscaping for \$3,285.00 per month for a total of \$23,000.00 for the season for maintenance at all of our facilities. This is the same price as last year. Mr. J. Flancbaum recommends awarding the contract to them again this year. Mr. J. Flancbaum read **Resolution No. 20-58 Awarding Contract For Landscape Maintenance Service For 2020 season**. Motion was made by Mayor Coles, seconded by Mrs. Fish. On **roll call**, Mrs. Fish, Mr. Waxman, Mayor Coles and Mr. Theibault voted "Yes". Senator Singer abstained. **Adopted.**

Senator Singer informed Mrs. Fish and Mayor Coles that Mr. J. Flancbaum and Mr. Rappoccio will be calling you regarding a personnel matter later on.

**X. Technical Operations Report**

**Field Operations Report:**

1. The Security project and the Shorrock Street HVAC replacement project have been put on indefinite hold to at least 2021 due to the staggering of staff because of the COVID-19 outbreak.
2. The New Hampshire Ave Water Treatment Plant Calcium Hypochlorite to Sodium Hypochlorite conversion project is still in full swing moving forward due to its criticality.
3. The County Line Manor Sewer Lift Station is now permanently off line as a result of the completion of the tie in to the new sewer gravity main installation.
4. Seasonal hydrant flushing has commenced yesterday.
5. The fire hydrant replacement project remains in full swing and is also set to proceed forward.
6. Well No. 7 rehabilitation project is complete and the well is returned to service.

**Technical Operations:**

7. All SCADA and communications systems are up and running well. Outside contractor support is not presently affected or hampered by the virus outbreak.

**IT Department:**

8. Mr. McBride has continued to be able to support and or correct all IT related issues during this pandemic by either performing such duties on site or remotely at all days of the week. In addition, he facilitated remote working capabilities for select management personnel for off-site audio/visual conferencing. He has also facilitated audio/visual conferencing for our Administration Building conference room as well.

**GIS Department:**

9. One of the new laptops were distributed to Mr. McClain so that he can conduct critically needed GIS services remotely as well. We have brought in Mr. McClain to the office when adequate social distancing exists in order for him to catch up with much needed on site duties
10. Mr. McClain has also developed a virtual tutorial in order to aid our Operations staff in the uploading of their daily captured data to the main system. Previous to this, the devices were turned in to him daily to perform the upload.

**XI. Commissioners' Report**

**XII. MEETING OPEN TO THE PUBLIC**

**XIII. ADJOURNMENT**

**A motion** was made by Mrs. Fish, seconded by Mr. Theibault to adjourn meeting. On **roll call**, all members present voted, "**Yes**". Senator Singer thanked Mr. Bauer, Mr. Pfeffer and the staff for their cooperation. He wished everyone to be healthy and safe. The meeting was adjourned at 10:24 A.M.

Respectfully submitted,

Nechama Lapa,  
Secretary, LTMUA