



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

February 6, 2024

- I.** Senator Singer opened the meeting at 2:11 P.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, Mr. Theibault, Mr. S. Flancbaum, Committeeman Lichtenstein and Senator Singer.

The following professionals and key personnel were present: Mr. Adam Pfeffer, Esq., Mr. Justin Flancbaum, Executive Director, Mr. Gerwin Bauer, Auditor, 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**

Motion to approve the minutes of the Regular Monthly Meeting held on January 3, 2024, was made by Mr. Theibault and seconded by Mr. S. Flancbaum. **On roll call**, all seated members voted **“Yes.” Motion carried.**

Motion to approve the minutes of the Water and Sewer Connection Fee Hearing held on January 3, 2024 was made by Mr. Theibault and seconded by Mr. S. Flancbaum. **On roll call**, all seated members voted **“Yes.” Motion carried.**

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VI. Chief Financial Officer Report

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

1. Resolution Adopting the 2024 Budget (all commissioners vote)

Mr. Sondak reported that his first item is the resolution to adopt the 2023-2024 Operating Budget. DCA has reviewed it and has approved it for adoption. This Board has also approved it at our December 2023 meeting.

- **Resolution No. 24-15** Adopting the 2024 Budget

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

2. Motion to Approve Operating Voucher

Mr. Sondak said the operating list in the Board packet is \$813,385.45. There are no out of the ordinary issues to note so he recommended the Board approve the Operating List as is with noted abstentions.

Motion made by Mr. Theibault and seconded by Mr. S. Flancbaum. 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, CEng MIEI Director of Engineering

1. Avenue of the States Spire #1 (*Owner/Developer: Spire One Equity, LLC – Mark Chopp*)

At this time the Authority may authorize the Executive Director to endorse applications for the Avenue of the State Spire #1 project. OCUA and TWA approvals are required due to the proposed development generating over 8,000 gpd of sanitary sewer flow.

- **Resolution No. 24-16** Authorizing Executive Director to Endorse Applications for Avenue of the States Spire #1

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

2. Avenue of the States Spire #2 (*Owner/Developer: Spire One Equity, LLC – Mark Chopp*)

At this time the Authority may authorize the Executive Director to endorse applications for the Avenue of the State Spire #2 project. OCUA and TWA approvals are required due to the proposed development generating over 8,000 gpd of sanitary sewer flow.

- **Resolution No. 24-17** Authorizing the Executive Director to Endorse Applications for Avenue of the States Spire #2

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

3. 1493 Oak Street Single Family Home and Water Main Extension (*Owner/Developer: Albert Estates, LCC – Mordechai Eichorn*)

December 21, 2023 Grant Engineering issued a revised conceptual/technical/final review #1.

At this time the Authority may grant conceptual, technical and final approval for the 1493 Oak Street Single Family Home and Water Main Extension project conditioned on the Grant Engineering letter dated December 21, 2023.

- **Resolution No. 24-18** Granting Conceptual, Technical and Final Approval (Water Only) for 1493 Oak Street Single Family Home and Water Main Extension

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

At this time the Authority may accept the terms of the Developer’s Agreement for the 1493 Oak Street Single Family Home and Water Main Extension project. There are no site specific terms for this Developer’s Agreement.

- **Resolution No. 24-19** Authorizing the Execution of a Developer’s Agreement for 1493 Oat Street Single Family Home and Water Main Extension

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

4. Albert Avenue 3 Lot Subdivision (**Owner/Developer: 303 Albert Avenue, LLC – Yaakov Kaufman**)

At this time the Authority may authorize the Executive Director to endorse applications for the Albert Avenue 3 Lot Subdivision project. OCUA approval is required due to the proposed development generating over 2,000 gpd of sanitary sewer flow.

- **Resolution No. 24-20** Authorizing the Executive Director to Endorse Applications for Albert Avenue 3 Lot Subdivision

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

The following are the site specific terms for the Developer's Agreement for the Albert Avenue 3 Lot Subdivision project:

- The Developer agrees to pay \$57,199.00 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. 24-21** Authorizing the Execution of a Developer's Agreement for Albert Avenue 3 Lot Subdivision

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

Committeeman Lichtenstein asked: For \$60,000 are we actually running the sewer main in that location? Mr. Ponsi explained we have a sewer master plan for the entire system which we adopted. The sewer master plan pointed out numerous locations where when full build out occurs, our existing sewer mains will go over capacity. We have been doing studies of different sections of the sewer mains as priority. This section specifically from Vassar Avenue to the OCUA the existing sewer main is reduced. Right now we have a sewer main extension that goes down Vassar Avenue to Albert Avenue that is 12" to 8" in size. We have a bigger line tying into a small one. We need to upsize all the way to the OCUA to handle all the flows that are coming in from Old Pine Acres.

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

The following are the site specific terms for the Developer's Agreement for the Joe Parker Road School #5 project:

- a. The Authority and Developer agree connection fees will be charged based on the equivalent usage report submitted by the Developer.
- b. The Developer agrees to enter into a monitoring agreement where the usage for the building will be monitored for a period of 5 years.
- c. 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.
- d. Connection Fees must be paid prior to installation of the meter.
- e. The Developer agrees to pay \$40,000.00 as a fair share contribution towards an analysis for 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. 24-22** Authorizing the Execution of a Developer's Agreement for Joe Parker Road School #5

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

6. Update of Rules and Regulations

January 3, 2024 the Authority approved Addendum #38 to the Rules and Regulations to update the initial application and escrow fees required to be submitted by an Applicant.

The Authority is continually in the process of reviewing and updating the regulations. The Authority is revising the regulations as follows:

- Revise Section 4.02 to update the Individual Residential application, review, and construction observation fees required to be submitted by an Applicant.

At this time the Authority may approve Addendum #39 to the Rules and Regulations to update the Individual Residential application, review, and construction observation fees required to be submitted by an Applicant.

Motion Approving Addendum #39 was made by Mr. Theibault and seconded by Mr. S. Flancbaum.

On **roll call**, all seated members voted **“Yes.”** Motion **carried**.

7. Sanitary Sewer Extension to Old Pine Acres

January 23, 2024 the Authority received through CME Associates a request for change order #2 for P&A Construction, Inc in the amount of \$5,802.25 which represents the sum total of all quantity adjustments throughout the project. This change order request accompanied the final payment request and maintenance bond in order to close out the project.

At this time the Authority may award change order #2 for P&A Construction, Inc for final quantity adjustments throughout the project in the amount of \$5,802.25.

- **Resolution No. 24-23** Awarding Change Order #2 for Sanitary Sewer Extension to Old Pine Acres

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

8. Well 9 Emergency Repairs 2023

January 31, 2024 the Authority received change order request #1 from William Stothoff Company, Inc for the replacement of the foundation plate at the well in the lump sum amount of \$4,380.00. During the repair work of the well it was determined the foundation plate was not stable and in need of replacement.

At this time the Authority may award change order #1 to the contract awarded emergency conditions for William Stothoff Company, Inc for the replacement of the foundation plate in the lump sum amount of \$4,380.00.

- **Resolution 24-24** Awarding Change Order #1 for Well 9 Emergency Repairs 2023

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

9. New Hampshire WTP Boiler Replacement

February 1, 2024 the Authority received a proposal from PS&S for engineering services including design, construction documents, bidding services and construction administration for the replacement of the boiler and associated equipment in the cost not to exceed amount of \$65,460.00. At this time the Authority may award a professional services contract to PS&S for engineering services for the replacement of the boiler and associated equipment at the New Hampshire Avenue Treatment Plant filter building in the cost not to exceed amount of \$65,460.00.

- **Resolution No. 24-25** Awarding Professional Services Contract for New Hampshire Avenue WTP Boiler Replacement

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

10. Arc Flash Analysis for Compliance with NEC and PEOSHA

February 2, 2024 the Authority received a proposal from French & Parrello Associates for the engineering work associated with the Arc Flash Analysis at the New Hampshire Avenue Water Treatment Plant and the Shorrock Street Water Treatment Plant at the lump sum amount of \$24,640.00.

At this time the Authority may award a professional services contract to French & Parrello Associates for the engineering work associates with the Arc Flash Analysis at the lump sum amount of \$24,640.00.

- **Resolution No. 24-26** Awarding Professional Services Contract for Arc Flash Analysis for Compliance with NEC and PEOSHA

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

Senator Singer asked when we are starting phase 2 of the Old Pine Acres sewer main extension.

Mr. J. Flancbaum responded: in our capital improvement plan we have a set amount of dollars for sewer replacement, renovations and extensions. This year, 2024, we are not going to be doing any sewer extensions in Pine Acres. But we do have in in our budget for future years.

Senator Singer said we should do a portion of it. It's a big project and if we don't continue to work on the project the design will end up being outdated and we will have to design again. I want to see next years budget include at least what we did this year.

Mr. Theibault asked if we can loop the line prior to going forward. Mr. J. Flancbaum responded that . right now one side of the road is tied into Leisure Village and the other side into New Hampshire Avenue. The next phase could be whatever we choose off Ronald Road. This would probably be a five year project. I think what's going to happen over the next few years is that a lot of it's going to be extended by natural development.

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

Mr. J. Flancbaum gave an update on Capital Projects:

- The GAC project is moving along. We have a preconstruction meeting this week with the DEP and the IBank
- The irrigation metering project with the Villages is complete and also the Old Pine Acres project. Thank you to the Mayor and Township Committe for the money from the Township for this.
- The Rutgers Blvd Water Main Loop project is getting started-the issues with the DEP have been worked out.
- The meter replacement project of 8,500 meters will be starting soon.

X. Technical Operations Report

Given by Mr. Bob Farina, Operations Supervisor

Operations Dept:

1. Well #9 repair has been completed and tested. There is an issue with the top steel pump/motor mounting plate and its bolts located on the well head that needs to be replaced due to rusting. We received a quote and authorized the work so the well driller can proceed. In the meantime, the well has been taken offline in an abundance of caution to prevent any possibility of damaging the new pump and motor assemblies.
2. All SCADA and communications equipment is up and running with no issues.

IT Dept:

3. Leon and I met with our outside IT contractor management and discussed what we expect from them going forward in the new year in addition to any upcoming projects.

4. We also met with the replacement fire/security contractor to go over the contract one final time to ensure that the contractor fully understands the level of service and emergency response the Authority expects to receive. This effort is now moved forward to the bidding process.
5. Verizon vehicle GPS training is now complete

GIS/Cyber-Security Dept:

GIS:

6. Currently assisting in the development of defining data collection points to be included in the customer meter replacement contract and defined the delivery method to ensure the data is useful for the MUA.
7. Chris was elected to the Board of Trustee's for the Mid-Atlantic chapter of the URISA (Urban and Regional Systems Association).

Cyber-Security:

8. The Authority has been selected to receive the Crowd Strikes cyber-security suite as part of the state and local government cyber-security grant we previously applied for. This will offer us discounted access to a premier cyber-security suite of products and services.
9. During the latest round of phish testing from the Cyber/JIF, the Authority registered Zero Clicks. This is ensuring that our training program is working and our employees are exhibiting vigilance in their efforts to protect the Authority's IT assets.

Senator Singer mentioned to the Board that the Bank is having problems with wire transfers, wire instructions that are fake and fraud. They have been very sophisticated so we need to be aware.

XI. Commissioners' Report

XII. MEETING OPEN TO THE PUBLIC

XIII. MEETING CLOSED TO THE PUBLIC

XIV. ADJOURNMENT

The meeting was adjourned at 2:40 P.M.

Respectfully submitted,

Robyn Gray,
Secretary, LTMUA