

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
January 18, 2012**

Call to Order: The Regular Meeting of January 18, 2012 was called to order at 7:03 p.m. with the Pledge of Allegiance by Chairman Galante.

Announcement: Chairman Galante announced that this meeting is being held in conformance with the Open Public Meetings Act. Notice has been given to the newspapers and notice of the meeting has been posted in public places.

Roll Call: Present:
Thomas Galante, Chairman
Nicholas Smolney, Treasurer
Kiran Desai, Secretary
Reginald Butler, 1st Alternate – Assistant Secretary
Richard Greene, 2nd Alternate – Assistant Treasurer

Absent:
Rocco Donatelli, Commissioner
Edward Testino, Vice Chairman (arrived at 7:25 p.m.)

Also present:
Guy Donatelli, Executive Director
Michael Roy, P.E.
Stephen A. Florek II, Comptroller
Anne Zaccardi, Esq.

Executive Director's
Report: Guy Donatelli, Executive Director

Executive Director Donatelli referred to the Drinking Water Analysis-Monthly Coliform Summary Report Form from the Garden State Laboratories for December 2011 as well as the Daily Water Averages for 2009, 2010, and 2011 as included in the Commissioners' packets.

Request for Qualifications are due on January 25, 2012. His recommendation is that the Chairman form a committee to review the qualifications and make recommendations prior to the Reorganization Meeting.

The information with respect to Mr. Shah (24 Ashley Drive) was sent to Mr. Granata for his review and a report this evening.

Middlesex Water Company has petitioned the BPU for a 17.5% rate increase. Mr. McBride, Esq. of Wilentz, Goldman & Spitzer has been contacted to begin preparations to oppose this rate increase. Historically, Middlesex Water Company will realize about one-half of the proposed increase, which amounts to approximately a three to six percent increase for Old Bridge. The increase should take effect during the summer.

A motion to approve the Executive Director's report was made by Mr. Smolney and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

Previous Minutes: Regular Meeting - December 21, 2012
Executive Session - December 21, 2012

A motion to approve the previous minutes was made by Mr. Smolney and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Galante

NAYS: None

ABSTAIN: Greene

ABSENT: Donatelli, Testino

4 Ayes 0 Nays 1 Abstain 2 Absent

Engineering Reports: Michael Roy, P.E.
Reports on Developers for Approval:

**Lombardi Field Concession Building/Old Bridge
Township Public Schools**

1. W11-630, Minor Water – (6 + 1 Irrigation) = 7 EDCU’S

Mr. Roy reported that Minor Review, Inspection and Connection Fees have been paid. Construction consists of a two inch (2”) tap and water line connecting into an existing on-site private water line to service a 2,586 SF concession stand and restroom facility at the Lombardi Field of Carl Sandburg Middle School to be privately owned and maintained by the Applicant. The Applicant has indicated that the fire flow demand is 750gpm. A hydrant flow test performed on April 12, 2011 indicated that the Authority’s water distribution system has this fire flow available.

All technical requirements sufficient for Minor Water have been satisfied, and Mr. Roy recommended Minor Water Approval subject to the eight conditions listed in his report.

**Lombardi Field Concession Building/Old Bridge
Township Public Schools**

2. S11-495 Minor Sewer – 6 EDCU’s

Mr. Roy reported that construction consists of a private pump station and approximately 200 LF of their three inch (3”) force main connection into an existing on-site private gravity line to service a 2,586 SF concession stand and restroom facility at the Lombardi Field of Carl Sandburg Middle School.

Minor Review, Inspection and Connection fees have been paid, and the Applicant has acknowledged that all proposed sewerage facilities will remain privately owned and maintained by the Applicant. Based on the number of additional units that this Applicant would add to the sewerage collection system, it was determined that the gravity sewer in Ticetown Road did not require a capacity study.

Technical requirements for Minor Sewer Approval have been satisfied, and Mr. Roy recommended Minor Sewer Approval subject to the nine conditions listed in his report.

A motion to grant Lombardi Field Concession Building/Old Bridge Township Public Schools W11-630, Minor Water and S11-495, Minor Sewer as recommended was made by Mr. Smolney and seconded by Mr. Desai.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABSENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

Subsequent to the roll call vote the following discussion took place.

Mr. Smolney stated that during the last legislative session there was a movement to eliminate connection fees for the Board of Education. In his view, this would have a negative impact on the residents of Old Bridge.

Van Over Drive Single / Paul Lancha
3. S11-496, Minor Sewer – 1 Unit

Mr. Roy reported that the Applicant is constructing a single family home on the north side of Van Over Drive between Marlboro Road and Green Street. There is no sewer main in Van Over Drive, therefore the Applicant proposed to install a four inch (4”) PVC lateral to connect into an existing gravity sewer in Green Street. Minor Review, Inspection and Connection fees have been paid. Based upon the number of additional units that this Applicant would add to the sewerage collection system, it was determined that the gravity sewer in Green Street did not require a capacity study.

The Applicant has acknowledged that all proposed sewer lines will remain privately owned and maintained by the Applicant. The size, slope and installation of the on-site sewer lateral are subject to approval by the Township Plumbing Sub-Code Official.

Technical requirements sufficient for Minor Sewer Approval have been satisfied, and Mr. Roy recommended Minor Sewer Approval subject to the eight conditions in his report.

A motion to grant Van Over Drive Single/Paul Lancha S11-496, Minor Sewer as recommended was made by Mr. Desai and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABSENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

Superintendent's
Report:

Al Lunkenheimer, Superintendent Sewer Division

A motion to approve the Superintendent's Report as included in the Commissioners' packets was made by Mr. Smolney and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

Professional Qualifications Review Committee

Chairman Galante appointed Commissioners Butler and Greene to review the professional qualifications that are due on January 25, 2012.

1. Demolition of Abandoned Water Plants – Construction Services to CME.

Mr. Roy reported that the Authority awarded a demolition contract to Auroa Environment of Union Beach, NJ to demolish the abandoned water treatment plants on Prospect Avenue and Joseph Court. The Authority needs to authorize Engineering Services for the Construction Phase of this project.

CME Associates provided a proposal dated January 6, 2012 for Engineering Services for the Construction Phase of this project as follows:

1. Remediation and Demolition Inspection - \$26,946.00
2. DEP Remedial Action Report - \$16,650.00
3. Engineering Services During Construction - \$24,113.50

The dollar amount of these estimate fees appears to be reasonable. The fees are based upon an estimate number of hours required for the level of effort anticipated for each of the engineering tasks. The project duration is anticipated to be four (4) months of actual construction, with an overall contract time of approximately five (5) months.

Mr. Roy recommended that CME Associates be authorized to proceed with the Construction Phase of the demolition of the abandoned water treatment plants on Prospect Avenue and Joseph Court.

A motion to authorize CME Associates to proceed with Construction Services for the demolition of the abandoned water treatment plants on Prospect Avenue and Joseph Court as recommended was made by Mr. Smolney and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABSENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

**2. Biondi Avenue – GS Realty - W208-601, S208-474
Developer Agreements**

Mr. Roy reported that the Water and Sewer Developer Agreements for the referenced applications have been prepared and signed in accordance with the Final Water and Sewer Approvals granted on November 14, 2011.

The Developer Agreements consist of the standard language and the conditions of the Final Water and Sewer Approvals to construct approximately 75 LF of eight inch (8”) DIP water main to connect into an existing water main and approximately 70 LF of eight inch (8”) PVC sewer main to connect into an existing gravity sewer on Biondi Avenue to service three (3) single family units.

The agreements have been signed by the Developer and are ready to be considered for authorization to be countersigned by the Authority.

A motion to authorize countersigning the Developer Agreements by the Authority with respect to the above referenced project as recommended was made by Mr. Smolney and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Greene

NAYS: None

ABSENT: Donatelli, Testino

NOT PARTICIPATING: Galante

4 Aye 0 Nays 2 Absent 1 No Participation

**3. Wendy’s (Rt. 516) – W204-544, S204-427
Release Performance Bonds**

Mr. Roy reported that there had been a delay in releasing the performance bonds for this project due to the required completion of the remedial work of items on the punch list.

Cash bonds have been posted. Installation and testing of water and sewer construction is complete and satisfactory. As-built drawings are approved, and mylars and electronic copies have been received. All water and sewer lines will remain privately owned by the applicant, and the water meter has been installed.

Based upon the current status of this application, and since the water and sewer lines will remain privately owned, Mr. Roy recommended release of the Water and Sewer Performance Guarantees conditioned only upon settling the escrow accounts and no maintenance bond required.

A motion to Release the Performance Bonds for Wendy's (Rt. 516) W204-544, S204-427 as recommended was made by Mr. Desai and seconded by Mr. Smolney.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABSENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

Financial Report: Stephen A. Florek II, Comptroller

Mr. Florek reported that the NJEIT financing is progressing.

A motion to approve the Financial Report was made by Mr. Galante and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABSENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

Legal Report: Anne Zaccardi, Esq.

Ms. Zaccardi reported to the Commissioners with respect to a problem with an allegedly faulty water meter at 24 Ashley Drive. Although she will defer to Mr. Granata's final written decision, her legal opinion is that this is a material issue and not a legal issue.

The Administrative Code sections to which Mr. Shah, the owner of the property, refers to are not applicable to this Authority but rather to the utilities under the auspices of the BPU. The issue is whether or not there was a flow through the meter which resulted in the high billing.

Chairman Galante stated that if this discussion were to be prolonged, he would recuse himself.

Mr. Smolney stated that since Mr. Granata would be giving a final opinion at a later date, further discussion would be counter-productive.

Chairman Galante announced that this item would be held for further discussion until February 15, 2012.

Bills & Claims \$1,413,746.98

A motion to approve Bills & Claims was made by Mr. Smolney and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABSENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

New Business: Mr. Roy stated that the DEP has invited the Authority to a half day seminar to be held on February 3, 2012 relating to the constantly changing NJEIT financing procedures. Commissioners are invited to attend; there is no cost for this seminar, but the registration deadline is Friday, January 27, 2012.

Old Business: **Brunetti Oaks at Glenwood Development – Status**
To be discussed in Executive Session

Recharge Basin Study – Status

Mr. Roy reported that CME solicited bids for drillers. The soil work is about to begin, and he will update the Commissioners monthly as the project progresses.

Open to Public: Seeing no hands Chairman Galante closed the public portion.

Executive Session: A motion to go into Executive Session at 7:22 p.m. was made by Mr. Smolney and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Greene, Galante

NAYS: None

ABSENT: Donatelli, Testino

5 Ayes 0 Nays 2 Absent

Regular Meeting Reconvened at 7:35 p.m.

During Executive Session Ms. Zaccardi discussed the Brunetti Litigation.

Adjournment: A motion to adjourn at 7:36 p.m. was made by Mr. Smolney and seconded by Mr. Desai.

The roll call was as follows:

AYES: Desai, Smolney, Butler, Testino, Galante

NAYS: None

ABSENT: Donatelli

5 Ayes 0 Nays 1 Absent

Respectfully submitted:

Kiran Desai, Secretary