

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

Call to Order: The Regular Meeting of July 18, 2012 was called to order at 7:05 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  
Edward Testino, Vice Chairman (arrived at 7:10 p.m.)  
Rocco Donatelli, Commissioner  
Kiran Desai, Secretary  
Richard Greene, Treasurer  
Reginald Butler, 1<sup>st</sup> Alternate – Assistant Secretary  
Anita Greenberg, 2<sup>nd</sup> Alternate - Assistant Treasurer

Absent:  
None

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

Executive Director's Report: Executive Director Donatelli discussed the Drinking Water Analysis-Monthly Coliform Summary Report Form from the Garden State Laboratories and the Monthly Water Distribution for June 2012.

**Water Quality**

Executive Director Donatelli, referring to the Boil Water Advisory which occurred during the month of June, stated that sampling continued for the remainder of the month with clean results.

**Personnel**

Executive Director Donatelli stated that staffing levels in the Water Division have fallen, and in order to maintain the system and respond to emergencies, he recommended filling four vacant

positions (two in meter; two in distribution). He has met with the candidates and is satisfied with the qualifications of the following persons:

Christopher Haines	Brian Webb
Anthony Montagna	Dennis Pinkiewicz

Executive Director Donatelli confirmed for Mr. Desai that all four candidates are residents of Old Bridge.

A motion to hire Christopher Haines, Brian Webb, Anthony Montagna and Dennis Pinkiewicz as employees of the Water Division was made by Mr. Greene and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Galante

NAYS: None

NO PARTICIPATION: Donatelli, Testino

5 Ayes      0 Nays      2 No Participation      0 Absent

### **Middlesex Water Company Rate Increase**

Executive Director Donatelli stated that Middlesex Water Company will be imposing a 12.5% increase in their water rates with a two-year freeze on rate increases for bulk customers in the Raritan Basin which includes Old Bridge. The impact to the Authority's budget is estimated to be 4.5% - 5%. His recommendation is to hold a rate hearing prior to the regularly scheduled meeting on August 15, 2012 and a workshop on August 1, 2012.

Dr. Greenberg stated that there was significant savings for the Authority with bond refinancing; renegotiating contracts; and increased water usage.

Mr. Florek stated that the refinancing savings would occur over fifteen years; the current usage makes up for a shortage from last year.

Dr. Greenberg expressed a desire to avoid or at least minimize a rate increase. The residents realize nothing more for their money with this rate increase.

Mr. Donatelli suggested requesting that Middlesex Water Company reimburse the Authority for the water wasted during the Boil Water Advisory.

Mr. Greene emphasized that the rate payers are not aware that rate increases are beyond the control of the Authority. Middlesex Water is a “for profit” company; the Authority is not.

Executive Director Donatelli stated that \$3 million in retained earnings is currently being utilized to balance the budget. Periodic rate increases reduce the chance of one major rate increase.

Mr. Greene added that the DEP restricts the amount of ground water that may be taken, and that the Authority seeks to do what is in the best interests of the residents of Old Bridge.

Mr. Florek stated that a conference call with Moody’s Rating Service was scheduled for the next day (which Mr. Testino suggested Mr. Greene attend). Moody’s usually questions the use of retained earnings to balance the budget instead of regular rate increases.

Executive Director Donatelli stated that he would send a letter to Middlesex Water Company as an attempt to recoup the money expended during the Boil Water Advisory.

A motion to hold a special meeting on August 1, 2012 at 7:00 p.m. to discuss a proposed rate increase from Middlesex Water Company and to hold a rate hearing at 6:30 p.m. on August 15, 2012 was made by Mr. Galante and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Greene, Testino, Butler, Galante

NAYS: None

NO PARTICIPATION: Donatelli

5 Ayes      0 Nays      1 No Participation      0 Absent

Previous Minutes: Regular Meeting - June 20, 2012  
Executive Session - June 20, 2012

A motion to approve the Previous Minutes was made by Mr. Donatelli and seconded by Dr. Greenberg.

The roll call vote was as follows:

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None

5 Ayes          0 Nays          0 Absent

Engineering Reports: Michael Roy, P.E.

Report on Developers for Approval

**Baseball Field/Old Bridge Township Public Schools  
1. S12-498, Minor Sewer – 0 - EDCU’s**

Mr. Roy reported that this project located at the intersection of Ticetown Road and Wisdom Way is for the construction of 530 LF of eight inch (8”) DIP to replace the existing sewer which runs through the existing baseball field of the Carl Sandburg Middle School.

Minor Review and Inspection fees have been paid. The applicant acknowledges that the Field House will be without sanitary sewer service during demolition, construction and testing of the proposed sewer line and that all proposed sewer lines will remain privately owned and maintained by the Applicant. Technical requirements sufficient for Minor Sewer Approval have been satisfied.

Mr. Roy recommended Minor Sewer Approval subject to the nine conditions outlined in his report.

A motion to approve the Baseball Field/Old Bridge Township Public Schools S12-498, Minor Sewer as recommended was made by Mr. Donatelli and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None  
5 Ayes 0 Nays 0 Absent

Superintendent's  
Report:

Al Lunkenheimer, Superintendent Sewer Division

A motion to approve the Superintendent's Report was made by Mr. Donatelli and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None

5 Ayes 0 Nays 0 Absent

Engineering Reports: Michael Roy, P.E.

### **1. Woodhaven Plaza, W96-432, S96-324, Developer Agreements**

Mr. Roy reported that this project is the strip mall along Texas Road in the area of Murray Drive to Englishtown Road. 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 August 17, 2011.

The Developer Agreements consist of the standard language, and the conditions of the Final Water and Sewer Approvals to construct approximately 3,650 ALF of six and eight inch (6" and 8") water main to connect into an existing twelve inch (12") water main in Texas Road and Murray Drive to service a 118,050 SF shopping center consisting of four retail buildings.

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

A motion to approve Woodhaven Plaza, W96-432, S96-324, Developer Agreements as recommended was made by Mr. Galante and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Greene, Testino, Butler, Galante

NAYS: None

NO PARTICIPATION: Donatelli

5 Ayes          0 Nays          1 No Participation      0 Absent

Financial Report: Stephen A. Florek II, Comptroller

***Resolution Approving the Form and Distribution of the Preliminary and Official Statement of the 2012A Series Refunding Bonds***

A motion to approve the Form and Distribution of the Preliminary and Official Statement of the 2012A Series Refunding Bonds was made by Mr. Butler and seconded by Mr. Greene.

The roll call vote was as follows:

AYES: Desai, Greene, Testino, Butler, Galante

NAYS: None

NO PARTICIPATION: Donatelli

5 Ayes          0 Nays          1 No Participation      0 Absent

Legal Report: Louis E. Granata, Esq.

**Mr. Shah**

Mr. Granata stated that Mr. Shah (Ashley Drive) had previously appeared before the Commissioners requesting consideration of a large bill he received. Mr. Shah now wishes to go to an ultimate dispute resolution to which the Authority does not subject itself. The time in which Mr. Shah could have taken this matter to court (forty-five days) has expired.

Mr. Testino stated that there is no law requiring the Authority to enter into a dispute resolution.

**Brunetti**

Mr. Granata stated that on June 29, 2012, Mr. Brunetti’s Consulting Engineer, Birdsell Service Group, submitted four different applications to the Authority for Mr. Roy’s review. One application was for no water tower; another application was for a 500,000 gallon water tower; another for a one million gallon water tower; and the last was for whatever size desired. Mr. Roy responded by stating that the Authority receives applications based upon the applicant’s request and the engineering report. The application does not include multiple choices. The applications were returned.

A letter from Mr. Erickson indicated that the Brunetti Organization is going to proceed with Tentative and Final Water Approval based upon the application filed for a one million gallon tank on its property.

Other matters relating to Brunetti will be discussed in closed session.

Mr. Granata added that the Planning Board approved the subdivision application at Summerfield Avenue for the proposed pump station subject to the various conditions which will be addressed by Mr. Brady of R3M Engineering.

**Bills & Claims:**

A motion to approve Bills & Claims in the amount of \$1,427,104.86 was made by Mr. Greene and seconded by Mr. Butler.

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None

5 Ayes            0 Nays            0 Absent

**Old Business:**

**Brunetti Oaks at Glenwood Development – Status**  
Previously discussed

**Recharge Basin Study – Status**

Mr. McClelland reported that work is continuing with the DEP and FEMA. He will have a report at the next meeting.

**Manzo Boulevard – Request to Notify Bonding Company**

Mr. Roy reported that a proposal was made to temporarily connect a water service to Johnny on the Spot which connects into Bordentown Avenue. Transco is willing to give them another thirty days, and Mr. Granata will send a letter to that effect.

**Suspension of Service Policy**

Executive Director Donatelli stated that he is seeking Commissioners’ approval to adopt this policy on a case-by-case basis.

A motion to adopt a Suspension of Service Policy as recommended was made by Mr. Testino and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None

5 Ayes            0 Nays            0 Absent

**Land Appraisals for the future Water Storage Tank**

Mr. Roy reported that CME has identified two possible sites for a future water storage tank, and he would like approval to obtain land appraisals. He recommended that DeRosa perform the appraisals.

Dr. Greenberg inquired what specifications are required for locating a site for a water storage tank.

Mr. McClelland responded that elevation and proximity to the existing system are a priority. Sufficient property is also a major consideration.

Dr. Greenberg asked about the possible use of the site of the former garden nursery on Rt. 34 and Disbrow Road.

Mr. McClelland stated that wetlands exist on the rear of that property.

Mr. Desai stated that the property is already subject to a Planning Board application for the construction of a temple.

A motion to authorize the acquisition of an appraisal for the property at Disbrow Road for a future water storage tank was made by Mr. Testino and seconded by Mr. Desai.

The roll call vote was as follows:

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None

5 Ayes          0 Nays          0 Absent

New Business:          None

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

Executive Session:      A motion to go into Executive Session at 7:46 p.m. was made by Mr. Galante and seconded by Mr. Donatelli.

The roll call vote was as follows:

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None

5 Ayes          0 Nays          0 Absent

**The Regular Meeting reconvened at 7:53 p.m.**

**During Executive Session Mr. Granata discussed Brunetti litigation.**

Adjournment:          A motion to adjourn at 7:54 p.m. was made by Mr. Testino and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Greene, Testino, Galante

NAYS: None

5 Ayes      0 Nays      0 Absent

Respectfully submitted:

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Kiran Desai, Secretary