

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY**  
**REGULAR MEETING**  
**December 19, 2012**

Call to Order: The Regular Meeting of December 19, 2012 was called to order at 7:00 p.m. with the Pledge of Allegiance by Vice Chairman Testino.

Announcement: Vice Chairman Testino 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:  
Edward Testino, Vice Chairman  
Kiran Desai, Secretary  
Richard Greene, Treasurer (arrived at 7:22 p.m.)  
Reginald Butler, 1<sup>st</sup> Alternate – Assistant Secretary  
Anita Greenberg, 2<sup>nd</sup> Alternate - Assistant Treasurer

Absent:  
Rocco Donatelli, Commissioner  
Thomas Galante, Chairman

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

Executive Director's  
Report: Guy Donatelli

**Monthly Water Distribution and Drinking Water Analysis**  
Executive Director Donatelli discussed the Drinking Water Analysis-Monthly Coliform Summary Report Form from Precision Labs and the Monthly Water Distribution totals for October and November 2012.

**Pay to Play**  
Executive Director Donatelli stated that it was his intention to solicit qualifications for professional contracts for the following services:

Auditor	Financial Advisor
Actuarial	Training Specialist
Insurance Agent	General Counsel
Labor Counsel	Bond Counsel
Bankruptcy Counsel	Special Counsel
Consulting Engineer	Computer Maintenance Specialist

A motion to authorize the solicitation of requests for qualifications for the above mentioned professional services was made by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes          0 Nays          2 Absent

**Middlesex Water Company**

Executive Director Donatelli stated that Middlesex Water Company has petitioned the BPU for a distribution system improvement charge. According to Hesser McBride, this increase does not apply to bulk users; therefore, the MUA will not be affected by the increase.

**Middlesex County Utilities Authority**

Executive Director Donatelli stated that based upon a Participant Estimate Cost Comparison, the OBMUA’s rate increase will be 4.4%, which is a \$198,352 increase to the OBMUA budget. A public rate hearing will be necessary to pass along this increase to ratepayers.

**Union Negotiations**

Executive Director Donatelli stated that he anticipated presenting the terms of the agreement reached with the union to the Commissioners at the January 16, 2013 meeting.

**Service Agreement with the Township**

Executive Director Donatelli stated that due to Hurricane Sandy the meeting with the Township to be held on October 3, 2012 had to be postponed. He is hoping to reschedule another meeting sometime in January to discuss Crossroads Cost Sharing and other

issues pertaining to the Service Agreement. Currently, the Authority is supplying water through hydrants to the residents of Laurence Harbor affected by the storm. Calculating overtime, the estimated cost to the Authority is approximately \$1,000 per week. His suggestion is for the Township to hold in abeyance the fees associated with planned subdivisions until the Service Agreement is discussed.

Mr. Granata explained that the Authority has an application pending for a subdivision for which the Township wants application and escrow fees to be paid.

Executive Director Donatelli asked Mr. Greene for assistance in communicating to Mayor Henry the desire of the Authority to have these fees held.

**Vehicle Purchase**

Executive Director Donatelli stated that the Sewer Division Superintendent has requested the purchase of three vehicles. The request is reasonable; the purchase will be under state contract; and there is money in the budget. The vehicles to be purchased are:

- 1. 2013 Ford E350 Cargo Van      \$ 26,500
- 2. 2012 F550 Utility Body      \$102,000  
Truck with Crane
- 3. 2013 International 7400 4X2   \$113,000  
Dump Truck

A motion to authorize the purchase of the above mentioned vehicles for the Sewer Division was made by Mr. Butler and seconded by Mr. Greene.

The roll call was as follows:

AYES:            Desai, Greene, Butler, Greenberg, Testino

NAYS:            None

ABSENT:        Donatelli, Galante

5 Ayes            0 Nays            2 Absent

**Prior to the roll call vote the following discussion took place.**

Dr. Greenberg questioned from where the vehicles are purchased.

Executive Director Donatelli stated that prices are obtained from the State’s website. If it is determined that a particular item may be purchased at a lesser cost, bids would be solicited.

Mr. Desai asked about the size of the existing dump truck.

Executive Director Donatelli stated that the existing dump truck is smaller than the one to be purchased.

**John J. Brunetti – RICO Case**

Executive Director Donatelli stated that this matter would be discussed in Executive Session.

**Sewage Flows After Storm**

Executive Director Donatelli stated that via an Executive Order, Governor Christie has asked residents to limit water use.

A motion to approve the Executive Director’s Report was made by Mr. Desai and seconded b y Mr. Butler.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes 0 Nays 2 Absent

Previous Minutes:	Regular Meeting	-	October 17, 2012
	Executive Session	-	October 17, 2012
	Regular Meeting	-	November 9, 2012

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

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None  
ABSENT: Donatelli, Galante  
5 Ayes 0 Nays 2 Absent

Engineering Reports: Michael Roy, P.E.

**Report on Developers for Approval**

**Azimov Subdivision/Aleksndr Azimov**

**1. W209-605, Minor Water – 2 Units**

Mr. Roy reported that this project, located on the east side of Englishtown Road approximately two hundred feet (200') south of Summit Avenue, is for the construction of two (2) one inch (1") water service lines to service two (2) proposed single family homes and construction of a fire hydrant connecting into the existing water main in Englishtown Road.

Mr. Roy recommended Minor Water Approval subject to the eight conditions outlined in his report.

**2. S209-476, Minor Sewer – 4 Units**

Mr. Roy stated that this project is for the construction of four (4) private pump stations and five (5) separate private one and one-half inch (1 ½ ) PVC force mains totaling approximately 1,600 LF to connect into the existing gravity sewer in Edgar Street. These mains will service two (2) proposed single family homes and two (2) existing residents which are currently served by septic systems. A force main connection is also being provided for an additional existing resident currently serviced by a septic system.

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

A motion to approve Azimov Subdivision/Aleksndr Azimov Minor Water and Minor Sewer as recommended was made by Mr. Butler and seconded by Mr. Desai.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes            0 Nays            2 Absent

**Visionstream/Visionstream, LLC**

**3. W10-622, Tentative Water – 5 EDCU’s Retail, 27 Apartments, 1 EDCU Irrigation + 1 Fire = 34 EDCU’s**

Mr. Roy reported that this project located on the north side of Rt. 516 approximately five hundred feet (500’) east of Higgins Road is for the construction of approximately 400 LF of eight inch (8”) DIP to connect into an existing water main in Rt. 516 to service a 18,239 SF retail building with 27 apartment units on the second and third floors.

The Authority granted Preliminary Approval on September 21, 2011, and the Township Final Planning Board Approval was granted on December 6, 2011.

Mr. Roy recommended Tentative Water Approval subject to the four conditions outlined in his report.

**4. S10-487, Tentative Sewer – 5 EDCU’s Retail, 27 Apartments = 32 EDCU’s**

Mr. Roy reported that this project located on the north side of Rt. 516 approximately five hundred feet (500’) east of Higgins Road is for the construction of approximately 440 LF of gravity sewer main, a private pump station and approximately 350 LF of private three inch (3”) force main to service a 18,239 SF retail building with 27 apartment units on the second and third floors.

Mr. Roy recommended Tentative Sewer Approval subject to the four conditions outlined in his report.

A motion to approve Visionstream/Visionstream, LLC Tentative Water and Tentative Sewer as recommended was made by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES:            Desai, Greene, Butler, Testino

NAYS:            None

ABSTAIN: Greenberg

ABSENT: Donatelli, Galante

4 Ayes            0 Nays            1 Abstain        2 Absent

**Raritan Bay Medical Center Office/Old Bridge  
Medical Office Building. LLC**

**5. W12-636, Preliminary & Tentative Water – 24 + 1  
Fire + 1 Irrigation = 26 EDCU's**

Mr. Roy reported that this project located at the intersection of Ferry Road and Rt. 18 within the west side parking lot on the emergency room side of the existing hospital building is for the construction of 400 LF of eight inch (8") DIP water main connecting into an existing on-site water main in two locations to service a 94,812, four-story medical office building.

Although there are number of items that must be addressed prior to Final Approval, Mr. Roy recommended Preliminary & Tentative Water Approval subject to the four conditions outlined in his report.

**6. S12-501, Preliminary & Tentative Sewer – 24 EDCU's**

Mr. Roy reported that this project located at the intersection of Ferry Road and Rt. 18 within the west side parking lot on the emergency room side of the existing hospital building is for the construction of approximately 25 LF of sewer lateral connecting into an on-site manhole to service a 94,812 SF four-story medical office building.

Although there are number of items that must be addressed prior to Final Approval, Mr. Roy recommended Preliminary & Tentative Sewer Approval subject to the four conditions outlined in his report.

A motion to approve Raritan Bay Medical Center Office/Old Bridge Medical Office Building LLC Preliminary & Tentative Water and Preliminary & Tentative Sewer as recommended was made by Mr. Butler and seconded by Mr. Greene.

The roll call vote was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes          0 Nays          2 Absent

Superintendent's  
Report:

Al Lunkenheimer, Superintendent Sewer Division

A motion to approve the Superintendent's Report (October and November) was made by Mr. Butler and seconded by Mr. Desai.

The roll call vote was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes          0 Nays          2 Absent

Prior to the roll call vote Mr. Testino congratulated Mr. Lunkenheimer and his staff for a job well done during and after Hurricane Sandy.

Engineering Reports: Michael Roy, P.E.

**1. Plaza Grande (Pheasant Park) W202-523, S202-404, Bond Release**

Mr. Roy reported Resolution D-13-08 dated February 6, 2008 authorized the reduction of the Water Performance Guarantee from \$233,278.65 to \$69,983.60 and the cash guarantee from \$25,919.85 to \$7,775.96. Plaza Grande requests to be completely released from its bonds.

The Authority has taken ownership of the sewer pump station and force main. As-built drawings are approved; mylar and electronic copies have been received. All water meters have been installed, and a blanket easement for water and sewer access and



maintenance has been received. Final paving is completed, and confined space equipment has been received.

Based upon the status of the applicant, Mr. Roy recommended **conditional release of the Water Performance Guarantee** subject to:

1. Submission of a two (2) year Water Maintenance Guarantee in the amount of \$38,879.78 which represents fifteen percent (15%) of the water performance guarantee; and
2. Provide sufficient balance in the water escrow account for the two (2) year maintenance period. Provide a check in the amount of \$7,000.00 to be deposited in Plaza Grande's water escrow account. Any remaining monies after closeout of this project will be returned to the Plaza Grande.

In addition, Mr. Roy also recommended **conditional release of the Sewer Performance Guarantee of Plaza Grande** subject to:

1. Submission of a sewer maintenance bond in the amount of \$114,177.03 that represents fifteen percent (15%) of the sewer utility construction cost.
2. Jet cleaning of all the sewer mains under the Authority's supervision.
3. Provide sufficient balance in the sewer escrow account for the two (2) year maintenance period. Provide a check in the amount of \$9,000.00 to be deposited in Plaza Grande's sewer escrow account. Any remaining monies after closeout of this project will be returned to Plaza Grande.

A motion to approve Plaza Grande (Pheasant Park) Water and Sewer Bond Releases as recommended was made by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes      0 Nays      2 Absent

Prior to the roll call vote the following discussion took place. Mr. Greene inquired how the certification of the jet cleaning is done. Mr. Roy stated that Authority staff is present when the jetting is performed. A jet truck will perform a number of passes until the procedure is completed.

## **2. Higgins Road and Rt. 516 Tank Connection and Replacement of 2,100 LF of Water Main with 16 inch on Rt. 516, NJEIT Applications.**

Mr. Roy stated that on January 28, 2009, CME was authorized to perform design work for a project that consists of connecting the Higgins Road (3MG) tank and the Rt. 516 (2 MG) tank together with a new twelve inch (12") water main to utilize the booster station on Rt. 516 and be able to pump out a combined total of five million gallons of water stored rather than the two million gallons on Rt. 516.

The financing of this project was intended to be obtained through the NJEIT Fund Loan Program that provides for low interest financing for water and sewer capital projects throughout the state.

The design for this project has been completed, and in addition to the tank connection, the project now includes replacing 2,100 feet of water main in Rt. 516 that has experienced several water main breaks within the past year. It will also include repainting each of the water storage tanks and the installation of new valve chambers to improve the operation of the tanks in conjunction with the existing Rt. 516 Booster Station.

The Authority submitted a Letter of Intent prior to the October 1, 2012 deadline for the two projects, which have an estimated construction cost of \$5.3 million dollars. In order for this project to go forth, Mr. Roy recommended the authorization of these projects for loan applications in the next State budget Cycle (SFY 2014) of the NJEIT Fund Loan Program. The deadline for the application is March 4, 2013.

A motion to approve the submission of NJEIT Applications for Higgins Road and Rt. 516 Tank Connection and Replacement of 2,100 LF of Water Main with 16 inch on Rt. 516 as recommended was made by Mr. Butler and seconded by Mr. Greene.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes          0 Nays          2 Absent

### **3. WAWA Rt. 9, W208-595, S208-469, Developer Agreements**

Mr. Roy stated that the Water and Sewer Developer Agreements have been prepared and signed in accordance with the Final Water and Sewer Approvals granted on September 21, 2011.

The Developer Agreements consist of the standard language, and the conditions of the Final Water and Sewer Approvals for the construction of a fire hydrant and two inch (2") water service to connect into the existing water main and construction of a four inch (4") sewer lateral to connect into the existing gravity sewer in Old Amboy Road to service a proposed gas station and a 4,773 SF mini-mart.

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 approve WAWA Rt. 9, Developer Agreements as recommended was made by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes          0 Nays          2 Absent

#### **4. Crossroads Regional Interceptor Project, Change Order No. 1**

Mr. Roy stated that Change Order No. 1 to Northeast Remsco Construction consists of the quantity adjustments of gravel for temporary access roads that are both identified on the construction plan and additional areas of access that have been deemed necessary to complete the work.

The total cost of this Change Order No. 1 is \$161,000.00, which is a two point three percent (2.3%) increase from the amended contract amount of \$7,017,600.00 to a new contract amount of \$7,178,600.00. This Change Order will be subject to approval by the NJDEP.

A motion to approve Crossroads Regional Interceptor Project, Change Order No. 1 as recommended was made by Mr. Butler and seconded by Mr. Desai.

The roll call was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes          0 Nays          2 Absent

Financial Report: Stephan A. Florek, II, Comptroller

Mr. Florek reported that an online Reverse Auction for the Purchase of Electricity was held on December 4, 2012, which will result in a savings of an additional \$96,908.00 over the current supplier, Hudson Energy.

Mr. Testino asked if each unit of the MUA has its own meter Mr. Florek responded each unit has its own meter.

Mr. Greene inquired if 2011 usage was used to determine the rate.

Mr. Florek stated that usage through the end of October and back two years was used in the rate calculation.

Mr. Florek reported that prior to the tax sale held this day; the Authority had recovered \$180,000 of the \$764,000. He has not yet received a report from the sale today.

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

The motion was approved by an ALL AYES vote.

Legal Report:

Louis E. Granata, Esq.

**Manzo**

Mr. Granata stated that the Commissioners had decided to proceed with calling the bond in conjunction with the Township, but coordination with the Township has not been possible due to Hurricane Sandy. Mr. Greene has offered to meet with the administration of the Township to discuss this matter.

**Tara Realty Condemnation**

Mr. Granata stated that the condemnation commissioners were to meet earlier this month, but the attorney for the property owner was not aware that his presence was mandatory at that meeting. The time for the meeting has been extended to February and will not delay our use of the property.

**Summerfield Gravity Sewer**

Mr. Granata stated that the transfer of property is completed and subdivided. He awaits the recorded deed.

Bills & Claims:

A motion to approve Bills & Claims in the amount of \$3,614,814.70 was made by Mr. Greene and seconded by Mr. Desai.

The roll call was as follows:

AYES: Desai, Greene, Greenberg, Testino

NAYS: None

ABSENT FROM THE PODIUM: Butler

ABSENT: Donatelli, Galante

4 Ayes            0 Nays            1 Absent From Podium            2 Absent

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

**Recharge Basin – Status**  
No Report.

**Advertise for Professional Services – Pay to Play**  
Discussed and acted upon earlier in the meeting.

**Manzo Boulevard – Request to Notify Bonding Company**  
Discussed earlier in the meeting.

New Business: Dr. Greenberg inquired if the recharge basin project was going forward.

Mr. Roy responded that the Authority was looking into several options as to what may be done with the property.

Executive Director Donatelli suggested that the Reorganization Meeting of the MUA be held on February 6, 2013.

Open to Public: Mrs. Murray congratulated the entire of the staff of the MUA for their outstanding performance during Hurricane Sandy.

**Seeing no further hands Vice Chairman Testino closed the public portion.**

Executive Session: A motion to go into Executive Session at 7:50 p.m. was made by Mr. Desai and seconded by Dr. Greenberg.

The roll call vote was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes            0 Nays            2 Absent

**The regular meeting resumed at 8:03 p.m.  
During Executive Session Mr. Granata discussed Brunetti  
litigation and pending litigation.**

Adjournment: A motion to adjourn at 8:04 p.m. was made by Mr. Butler and  
Seconded by Mr. Desai.

The roll call vote was as follows:

AYES: Desai, Greene, Butler, Greenberg, Testino

NAYS: None

ABSENT: Donatelli, Galante

5 Ayes      0 Nays      2 Absent

Respectfully submitted:

---

Arthur Haney, Secretary (since reorganization meeting 2/6/13)