

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY**  
**REGULAR MEETING**  
**June 19, 2013**

Call to Order: The Regular Meeting of June 19, 2013 was called to order at 7:00 p.m. with the Pledge of Allegiance by Arthur Haney, Secretary.

Announcement Mr. Haney 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:  
Arthur Haney, Secretary  
Richard Greene, Treasurer  
Rocco Donatelli, Commissioner  
Anita Greenberg, 2<sup>nd</sup> Alternate - Assistant Treasurer

Absent:  
Thomas Galante, Chairman  
Edward Testino, Vice Chairman  
Reginald Butler, 1<sup>st</sup> Alternate – Assistant Secretary

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, Executive Director

**Monthly Water Distribution and Drinking Water Analysis**  
Executive Director Donatelli discussed the Drinking Water Analysis-Monthly Coliform Summary Report Form from Precision Laboratories and the Monthly Water Distribution May for 2013. In comparison to the same month last year, May 2012, the monthly water demand has decreased this year.

**Gasoline and Diesel Fuel**  
Executive Director Donatelli stated that bids are being solicited for an opening date of July 10, 2013. The results of the bids will be presented to the Commissioners on July 17, 2013.

**THM Monitor Update**  
Executive Director Donatelli reported that Middlesex Water's line to the 10MG tank at Perrine Road needed to be shut off on May 16

and June 11, 2013 as a result of high THM's. During the time of shut off, Middlesex Water is opened at two other points in the Authority's system where Middlesex Water is mixed with MUA's groundwater, a procedure which ensures an ample water supply to meet current demands and fire flows until a permanent solution is in place.

Dr. Greenberg asked if as a result of high THM's, there were any repercussions for Middlesex Water from the DEP.

Executive Director Donatelli responded that the DEP is allowing Middlesex Water to pursue their options to correct the problem. During a heavy rain a tributary draws organic matter into the river. Membrane and point treatment is being considered for bulk purchasers. The most economical treatment will be chosen.

Dr. Greenberg inquired if other towns receiving Middlesex Water Company water were having the same problem.

Executive Director Donatelli stated that officials from Marlboro Township visited us to see the MUA's THM monitor because they are having a problem also. Every water supplier in the State is dealing with this challenge.

Mr. Roy added that the MUA is the first one in the State of New Jersey to have this THM analyzer. The DEP is being shown the results of this THM monitor.

Dr. Greenberg stated that even though this Authority is being proactive, she would like to know that Middlesex Water is doing something to correct this problem.

Executive Director Donatelli added that the water is being monitored every six hours. With the addition of the THM analyzer, the tank mixer, and post chlorination, he was able to produce evidence to the DEP that Middlesex Water needed to do something about the quality of its water.

Mr. Roy stated that with the new equipment, it can be proven that the level of THM's from Middlesex Water rose to well above 100 parts per billion.

Mr. Greene acknowledged that the purchase of this equipment was an excellent investment.

Mr. Haney stated that pressure must be applied to Middlesex Water to alleviate the problem at all costs.

### **Aberdeen Contract**

Executive Director Donatelli stated that Aberdeen Township requested a reduction in its “take or pay” from 800,000 to 600,000 gallons per day. He suggested that this be discussed further in Executive Session.

### **Subdivision of Marlboro Road and Prospect Avenue Sites**

Executive Director Donatelli reported that demolition of an old water treatment plant in Laurence Harbor on Prospect Avenue has been performed. Marlboro Road is the site of an old water tower. The sale of these two (2) properties has been stalled because the Township is requesting payment of fees which is in contradiction to what has been done in the past. Formerly, only fees required by State Statute were paid. Mr. Granata has been attempting to contact the Township Attorney but to no avail.

Mr. Granata stated that he has been discussing an amendment to the interlocal service agreement with the Township in relation to other issues, e.g. cost-share for the Crossroads Interceptor Sewer.

Dr. Greenberg suggested that the Authority make a plea to the Township Council.

Mr. Greene added that there are many things that the MUA does for the Township.

Mr. Haney stated that there has never been a solid interlocal service agreement with the Township for services performed by the Authority. The Township appeared to not want to reciprocate.

Dr. Greenberg asked how the properties are zoned and inquired about the size of the lots. She offered to speak with the Township Administrator.

Executive Director Donatelli stated that the Marlboro Road property will not need a variance, but the property in Laurence Harbor will. The Marlboro Road properties have at least a one hundred foot frontage; the depth is twice that.

The Laurence Harbor properties consist of three, forty by one hundred foot parcels (fifty by one hundred is the zoning requirement).

**Rate Study**

Executive Director Donatelli stated that a meeting is to be held with Robert Allison (Holman, Frenia, Allison, P.C.) to submit all documentation necessary to perform the study.

Mr. Greene stated that the Auditor has been given parameters. He suggested investigating the reason why everyone pays the same sewer charges.

**2013 Consumer Confidence Report**

Executive Director Donatelli stated that the report has been mailed to bill paying residences and business customers.

Previous Minutes: Regular Meeting - April 17, 2013  
Executive Session - April 17, 2013

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

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes 0 Nays 3 Absent

Regular Meeting - May 10, 2013  
Executive Session - May 10, 2013

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: Donatelli, Greenberg, Haney

NAYS: None

ABSTAIN: Greene

ABSENT: Galante, Testino, Butler

3 Ayes            0 Nays            1 Abstain        3 Absent

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

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

- 1. W12-636, Final Water – 24 + 1 Fire + 1 Irrigation = 26 EDCU’s**
- 2. S12-501, Final Sewer – 24 EDCU’s**

Mr. Roy reported that this project located at the intersection of Ferry Road and Route 18 within the parking lot of the emergency room side of the existing hospital building consists of the construction of approximately 450 LF of eight and six inch (8” and 6”) DIP water main connecting into an existing on-site water main in two (2) locations to service a 93,444 SF four-story medical office building.

Final Review, Inspection and Connection fees have been paid. The Authority granted Preliminary and Tentative Approval on December 19, 2012; Township Final Planning Board Approval on December 6, 2012. All technical requirements sufficient for Final Water and Sewer Approval have been met.

Mr. Roy recommended Final Water and Sewer Approval subject to the ten conditions outlined in his reports.

A motion to approve Raritan Bay Medical Center Office/Old Bridge Medical Office Building, LLC W12-636, Final Water and S12-501, Final Sewer as recommended was made by Mr. Donatelli and seconded by Mr. Greene.

The roll call vote was as follows:

AYES:            Donatelli, Greene, Greenberg, Haney

NAYS:            None

ABSENT:        Galante, Testino, Butler

4 Ayes            0 Nays            3 Absent

Engineering Reports: Michael Roy, P.E.

### **1. WAWA – Route 9, W208-595, S208-469, Release Performance Bonds**

Mr. Roy reported that Final Water and Sewer Applications have been completed. Installation and testing of water and sewer construction is complete and satisfactory. As-built drawings are approved; mylars and electronic copies have been received. All water and sewer utilities will remain privately owned and maintained by the Applicant. The water meter has been installed.

The Applicant over paid three (3) water connection fees at the time of Final Approval. The two (2) EDCU irrigation system was not connected to public water and the fire sprinklers were not required. The overpayment of \$6,987.00 (3 x \$2,329.00) should be returned to the Applicant.

Based on the current status of this applicant, Mr. Roy recommended the release of the Performance Bonds without condition.

A motion to release WAWA – Route 9, W208-595, S208-469, Performance Bonds as recommended was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call vote was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes            0 Nays            3 Absent

### **2. St. Ambrose Church – W209-611, S209-479, Release Performance Bonds**

Mr. Roy reported that Minor Water and Sewer Applications have been completed. Installation and testing of water and sewer construction is complete and satisfactory. As-built drawings are approved; mylars and electronic copies have been received. The

eight inch (8”) water main to be dedicated is within public right of way, and a two-year maintenance bond is required for that. The sewer laterals will remain privately owned and maintained by the Applicant. A hydrant on Throckmorton Lane will remain private; but the other installed in the rear of the property will be public.

A motion to release St. Ambrose Church – W209-611, S209-479, Performance Bonds as recommended was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call vote was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes            0 Nays            3 Absent

### **3. Visionstream, W10-622, S10-487, Execute 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 April 17, 2013.

The Developer Agreements consist of the standard language, and the conditions of the Final Water and Sewer Approvals to construct approximately 400 LF of eight inch (8”) DIP to connect into an existing water main in Rt. 516 and 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.

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 the execution of the Visionstream, W10-622, S10-487 Developer Agreements as recommended was made by Mr. Donatelli and seconded by Mr. Haney.

The roll call vote was as follows:

AYES: Donatelli, Greene, Haney

NAYS: None

ABSTAIN: Greenberg

ABSENT: Galante, Testino, Butler

3 Ayes            0 Nays            1 Abstain        3 Absent

#### **4. Water Supply Materials, Annual Water Division Contract No. W13-165, Award Contract Sections**

Mr. Roy stated that although these contracts could have been extended, the vendors were not willing because of a change in the requirements of lead content in the service materials. The cost to manufacturer the service materials that contain no lead is more expensive.

##### **Section 1 – Copper Tubing**

Mr. Roy stated that there was one bidder for this section. The lone bidder submitted unit prices which are an average of eight point three percent (8.3%) lower than the unit prices from last year's low bid.

This section was not awarded last year, and Mr. Roy recommended not awarding this section this year. The price quoted is higher than what can be gotten on the spot market.

##### **Section 2 – Hydrants and Accessories**

Mr. Roy stated that there were two (2) bidders for this section. The lowest bidder submitted unit prices which are an average of eight point two percent (8.2%) higher than the unit prices in last year's contract. The total cost increase for the year is estimated to be approximately \$1,500.

Mr. Roy recommended awarding Section No. 2 of this contract to the lowest responsible bidder, Water Works Supply Co., Inc., for the unit prices bid.

##### **Section 3 – Service Materials**

Mr. Roy stated that the lone bidder submitted unit prices which are an average of twenty nine point two percent (29.2%) higher than



the unit prices in last year's contract. The total cost increase for the year is estimated to be approximately \$11,000.00.

Mr. Roy recommended awarding Section No. 3 of this contract to the lowest responsible bidder, Water Works Supply Co., Inc., for the unit prices bid.

**Section 4 – Repair Clamps, Bolted Couplings & Solid Sleeves**

Mr. Roy stated that there was one (1) bidder for this section. The lone bidder submitted unit prices which are an average of zero point four percent (0.4%) lower than the unit prices in last year's contract. The total cost for the year is estimated to be approximately the same.

Mr. Roy recommended awarding Section 4 of this contract to the lowest responsible bidder, Water Works Supply Co., Inc. for the unit prices bid.

**Section 5 – Piping and Valves**

Mr. Roy stated that there were two (2) bidders for this section of the contract. The lowest bidder submitted unit prices which are an average of four point four percent (4.4%) higher than the unit prices in last year's contract. The total cost increase for the year is estimated to be approximately \$2,800.00

Mr. Roy recommended awarding Section 5 of this contract to the lowest responsible bidder, Water Works Supply Co., Inc., for the unit prices bid.

**Section 6 – Tapping Sleeves and Valves**

Mr. Roy stated that there was one (1) bidder for this section of the contract. The lone bidder submitted unit prices which are an average of seven point seven percent (7.7%) higher than the unit prices in last year's contract. The total cost increase for the year is estimated to be approximately \$2,300.00.

Mr. Roy recommended awarding Section 6 of this contract to the lowest responsible bidder, Kennedy Culvert and Supply Co., Hillsborough, NJ for the unit prices bid.

A motion to award the Annual Contract for Water Supply Materials - Sections 2, 3, 4, and 5 to Water Works Supply Co. as recommended was made by Mr. Donatelli and seconded by Mr. Haney.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes          0 Nays          3 Absent

A motion to award the Annual Contract for Water Supply Materials - Section 6 to Kennedy Culvert and Supply Co. as recommended was made by Mr. Donatelli and seconded by Mr. Haney.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes          0 Nays          3 Absent

## **5. Sewer Division SCADA System, Contract No. 2011-3, Change Order No. 1.**

Mr. Roy reported that Change Order No. 1 to MBE Mark III prepared by R3M Engineering, Inc. consists of a one hundred sixty day extension of time for various reasons including delays due to contractual disagreement on system architecture (which has now been resolved), coordination and adjustment to the Verizon communication network incorporated into the system, and a number of field changes to add or delete and relocate instruments due to lack of available space.

The total cost of Change Order No. 1 is zero. The contract amount remains at \$2,180,000 and is ready to be considered for approval by the Authority. This Change Order No. 1 is subject to approval by the NJDEP.

**6. Summerfield Gravity Sewer Replacement,  
Contract No. 2011-1, Change Order No. 1**

Mr. Roy reported that Change Order No. 1 to Caruso Excavating, Inc. prepared by R3M Engineering, Inc. includes the changes to the Contract Documents.

The Changer Order consists of a two hundred ten day extension of time for various reasons including delays due to Superstorm Sandy; acquisition of the property through a subdivision that required Township Planning Board Approval; and field changes due to unforeseen underground utility service lines through the lot.

The total cost of Change Order No. 1 is zero. The contract amount remains at \$1,264,462.00 and is ready to be considered for approval by the Authority. This Change Order is subject to approval by the NJDEP.

A motion to approve Sewer Division SCADA System, Contract No. 2011-3, Change Order No. 1 and Summerfield Gravity Sewer Replacement, Contract No. 2011-1, Change Order No. 1 as recommended was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes            0 Nays            3 Absent

Financial Report: Stephen A. Florek II, Comptroller

***Resolution Adopting the Annual Budget – Water Division for the year ended May 31, 2014.***

A motion to approve a resolution authorizing the adoption of the Annual Budget for the Water Division for the year ended May 31, 2014 was made by Mr. Greene and seconded by Mr. Donatelli.

he roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes 0 Nays 3 Absent

***Resolution Adopting the Annual Budget – Sewer Division for the year ended May 31, 2014.***

A motion to approve a resolution authorizing the adoption of the Annual Budget for the Sewer Division for the year ended May 31, 2014 was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes 0 Nays 3 Absent

Legal Report: Louis E. Granata, Esq.

**AT&T Cell Tower Lease Agreement**

Mr. Granata stated that a request has been received from AT&T to amend the lease for the cell tower located on the Rt. 35 Water Storage Tank due to recent regulations requiring all cell towers to have a generator on site. The lease amendment provides for the installation of the generator in exchange for which the rental will be increased by \$250.00 per month.

A motion to amend the current lease agreement with AT&T for the cell tower located on the Route 35 Water Storage Tank to reflect an increase of \$250 per month was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None  
ABSENT: Galante, Testino, Butler  
4 Ayes 0 Nays 3 Absent

**Tara Realty**

Mr. Granata stated that a sewer easement was taken via condemnation for which \$24,750 was offered and refused. Testimony was given before Condemnation Commissioners who determined that the total amount would be \$50,000. After the Commissioners' award was entered, an appeal was filed to the Superior Court requesting a new trial and seeking more money. However, after an exchange of interrogatories and discovery, Tara Realty decided to accept the Commissioners' award of \$50,050.

The current bill list reflects the difference between \$24,750 (on deposit) and the additional \$25,300 to satisfy the judgment.

Bills & Claims: A motion to approve Bills & Claims in the amount of \$2,530,691.08 was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney  
NAYS: None  
ABSENT: Galante, Testino, Butler  
4 Ayes 0 Nays 3 Absent

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

**Disinfection By-Products (DEP) Regulations and Monitoring**  
Previously discussed

New Business: None

Open to Public: Mrs. Wulster questioned why the Executive Director received a large increase in salary.

Executive Director Donatelli explained that his salary is the same as that of the former Executive Director and that he is also the licensed operator for water treatment and distribution.

Seeing no further hands Mr. Haney closed the public portion.

Executive Session: A motion to go into Executive Session at 7:55 p.m. was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes          0 Nays          3 Absent

**The Regular Meeting reconvened at 8:24 p.m.**

**During Executive Session Mr. Granata discussed Brunetti litigation and Aberdeen Water Contract negotiations.**

Adjournment: A motion to adjourn at 8:25 p.m. was made by Mr. Greene and seconded by Mr. Donatelli.

The roll call was as follows:

AYES: Donatelli, Greene, Greenberg, Haney

NAYS: None

ABSENT: Galante, Testino, Butler

4 Ayes          0 Nays          3 Absent

Respectfully submitted:

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Arthur M. Haney, Secretary