

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY**  
**REGULAR MEETING**  
**December 16, 2015**

Call to Order: The Regular Meeting of November 16, 2015 was called to order at 12:00 p.m. with the Pledge of Allegiance by Arthur Haney, Chairman.

Announcement: Chairman 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, Chairman  
Richard Greene, Vice Chairman  
Edward Testino, Secretary (arrived at 12:25 p.m.)  
Anita Greenberg, Treasurer  
Paul Carlock, 2<sup>nd</sup> Alternate

Absent:  
Frank Weber, Assistant Treasurer

Also Present: Guy Donatelli, Executive Director  
Michelle Smith, Comptroller  
Michael Roy, P.E.  
Mitchell Jacobs, Esq.

Executive Director's  
Report: Guy Donatelli, Executive Director

**Monthly Distribution and Drinking Water Analysis**

Mr. Donatelli discussed the Drinking Water Analysis-Monthly Coliform Summary Report from Precision Analytical Labs and the Monthly Water Distribution for November 2015 that indicated that there was no coliform found during the monthly testing.

**Advertisement for Solicitation of Professional Qualifications**

Mr. Donatelli announced that the annual solicitation for professional qualifications for the various professional services for the Authority needs to be publicly advertised. The qualifications will be received on January 20, 2016, which is two weeks prior to a Reorganization Meeting in February. A committee will need to be established on January 20, 2016 to evaluate the qualifications of the professionals and report back to the Commissioners.

**Union Negotiations**

Mr. Donatelli stated that Mr. Brisman would make a presentation to the Commissioners on January 20, 2016 with respect to a proposed settlement with the union.

A motion was made to approve the Executive Director's report by Dr. Greenberg and seconded by Mr. Greene.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes      0 Nays      2 Absent

A motion to authorize the advertisement for solicitation for professional qualifications was made by Dr. Greenberg and seconded by Mr. Haney.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes      0 Nays      2 Absent

Previous Minutes: **Regular Meeting – October 21, 2015**

A motion to approve the Regular Meeting minutes of October 21, 2015 was made by Dr. Greenberg and seconded by Mr. Greene.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes            0 Nays            2 Absent

**Executive Session – October 21, 2015**

A motion to approve the Executive Session Meeting minutes of October 21, 2015 was made by Dr. Greenberg and seconded by Mr. Greene.

The roll call was as follows:

AYES:            Greenberg, Greene, Carlock, Haney

NAYS:            None

ABSENT:        Testino, Weber

4 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 Dr. Greenberg and seconded by Mr. Greene.

The roll call was as follows:

AYES:            Greenberg, Greene, Carlock, Haney

NAYS:            None

ABSENT:        Testino, Weber

4 Ayes            0 Nays            2 Absent

Engineering Reports: Michael Roy, P.E.

**Report on Developers for Approval.**

**Nieuw Amsterdam Apts. Community Building/Nieuw Amsterdam Associates, LP.**

**1. W15-647, Final Water – 4 + 2 Irrigation = 6 EDCU's**

LOCATION: At the existing Nieuw Amsterdam Apartment Complex, which is on the east side of Old Road.

DESCRIPTION: Construction of seventy-five feet (75') of two-inch (2") Type "K" copper water service line to connect into an on-site private water main to service a 5,270 SF community building which will include a rental office, gym, laundry, vending and all purpose area for use by the tenants. The existing one and one-half inch (1 1/2") Type "K" copper water service line to the pool house will be relocated, and a lawn irrigation system will be added for the existing pool house. A new hydrant will be installed on the existing eight inch (8") water main in Van Delft Drive.

COMMENTS:

1. Final Review, Inspection and Connection fees have been paid.
2. The Authority granted Tentative Approval on November 16, 2015. Township Final Zoning Board Approval was granted on December 5, 2014.
3. Applicant has acknowledged that all proposed water mains and fire hydrants will remain privately owned and maintained by the Applicant.
4. The size, material and installation of the on-site water service lines are also subject to approval by the Township Plumbing Sub-Code Official.
5. Technical requirements sufficient for Final Water Approval have been satisfied.
6. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
7. Recommend Final Water Approval subject to the following ten (10) conditions:

CONDITIONS:

1. Applicant shall pay all applicable fees.
2. The Applicant shall comply with and address any and all comments in this Engineer's Report dated December 11, 2015.
3. All proposed water lines to remain privately owned and maintained by the Applicant.

4. The Applicant shall coordinate the utility plans approved under this application with the architectural design of this commercial building as it relates to the water service.
5. Applicant to schedule a pre-construction meeting at least two (2) weeks prior to commencing any utility construction.
6. Applicant to execute Developer's Agreement for water utility construction that incorporates all requirements of both the Authority and the Township Approvals including a water maintenance plan prior to the pre-construction meeting.
7. Performance Guarantee, Certificate of Insurance and proof of all required permits shall be submitted prior to the pre-construction meeting.
8. The Applicant shall construct the water improvements in accordance with the Approved Drawings, and permits issued by any Agency having jurisdiction.
9. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
10. This Final Water Approval shall expire one (1) year from the date of the resolution if no construction has taken place within that one (1) year period.

A motion to approve Nieuw Amsterdam Apts. Community Building/Nieuw Amsterdam Associates, LP, W15-647, Final Water was made by Dr. Greenberg and seconded by Mr. Haney.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes            0 Nays            2 Absent

**Nieuw Amsterdam Apts. Community Building/Nieuw Amsterdam Associates, LP.**

**2. S15-511, Final Sewer – 4 EDCU's**

LOCATION: At the existing Nieuw Amsterdam Apartment Complex, which is on the east side of Old Road.

DESCRIPTION: Construction of approximately 270 LF of eight inch (8") SDR 35 PVC pipe to connect into the on-site private sewerage system and a four inch (4") Schedule 40 PVC lateral to service a 5,270 SF community building which will include a rental office, gym, laundry, vending and all purpose area for use by the tenants.

**COMMENTS:**

1. Final Review, Inspection and Connection fees have been paid.
2. The Authority granted Tentative Approval on November 16, 2015. Township Final Zoning Board Approval was granted on December 5, 2014.
3. Applicant has acknowledged that all proposed sewer lines will remain privately owned and maintained by the Applicant.
4. The size, slope and installation of the on-site sewer lateral are subject to approval by the Township Plumbing Sub-Code Official.
5. Technical requirements sufficient for Final Sewer Approval have been satisfied.
6. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
7. Recommend Final Sewer Approval subject to the following eleven (11) conditions:

**CONDITIONS:**

1. Applicant shall pay all applicable fees.
2. The Applicant shall comply with and address any and all comments in this Engineer's Report dated December 11, 2015.
3. There shall be no prohibited wastes discharged into the sewer system including discharge from any HVAC system.
4. All proposed sewer lines to remain privately owned and

maintained by the Applicant.

5. The Applicant shall coordinate the utility plans approved under this application with the architectural design of this commercial building as it relates to sewer service.
6. Applicant to schedule a pre-construction meeting at least two (2) weeks prior to commencing any utility construction.
7. Applicant to execute Developer's Agreement for sewer utility construction that incorporates all requirements of both the Authority and the Township Approvals including a sewer maintenance plan prior to the pre-construction meeting.
8. Performance Guarantee, Certificate of Insurance and proof of all required permits shall be submitted prior to the pre-construction meeting.
9. The Applicant shall construct the sewer improvements in accordance with the Approved Drawings, and permits issued by any Agency having jurisdiction.
10. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
11. This Final Sewer Approval shall expire one (1) year from the date of the resolution if no construction has taken place at the site within that one (1) year period.

A motion to approve Nieuw Amsterdam Apts. Community Building/Nieuw Amsterdam Associates, LP, S15-511, Final Sewer – 4 EDCU's was made by Mr. Haney and seconded by Dr. Greenberg.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes            0 Nays            2 Absent

**Dunkin Donuts/Bentley Realty Group, Inc.**

**3. W15-652, Preliminary Water – 2 + 1 Irrigation = 3  
EDCU's**

LOCATION: At the intersection of Route 18 and Ferry Road,  
across from the Raritan Bay Medical  
Center.

DESCRIPTION: Construction of a two inch (2") water service  
line connecting into the existing water main in Ferry Road to  
service a proposed 6,405 SF retail building containing a Dunkin  
Donuts with a drive thru component.

**COMMENTS:**

1. Balance of Application fees are due with the Tentative Water Application submittal. Preliminary Review fees have been paid
2. Based on the proposed number of units it was determined that the additional demand on the water distribution system is insignificant.
3. There are no existing residential dwellings in the area to be provided with municipal water service.
4. The final design of the lawn irrigation system is required to verify the number of Equivalent Domestic Consumer Units (EDCU's).
5. The Applicant has indicated that the fire flow demand is 1000 gpm. A hydrant flow test performed on October 15, 2012, indicates that the Authority's water distribution system has this fire flow available.
6. Applicant to acknowledge that all proposed water line will remain privately owned and maintained by the Applicant.
7. Submit proof of Township Planning/Zoning Approval (signed Resolution) when available.
8. The Applicant shall provide proof of title showing that it is the owner of the property.



9. Technical design review of the drawings will be performed after receipt of a complete Tentative Water Application submittal.
10. Submission deadlines for a Tentative Water Application package are as follows:
  - A. December 30, 2015
  - B. January 27, 2016
  - C. February 24, 2016
11. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
12. Recommend Preliminary Water Approval subject to the following four (4) conditions:

**CONDITIONS:**

1. Applicant shall pay all applicable fees.
2. All comments from this Engineer's Report dated December 11, 2015, shall be addressed with the Tentative Water Application.
3. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
4. This Preliminary Water Approval shall expire one (1) year from the date of the resolution.

A motion to approve Dunkin Donuts/Bentley Realty Group, Inc W15-652, Preliminary Water was made by Dr. Greenberg and seconded by Mr. Greene.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes            0 Nays            2 Absent

**Dunkin Donuts/Bentley Realty Group, Inc.**  
**4. S15-517, Preliminary Sewer – 2 EDCU's**

LOCATION: At the intersection of Route 18 and Ferry Road,  
across from the Raritan Bay Medical Center

DESCRIPTION: Construction of approximately 180 LF of eight  
inch (8") PVC sewer main in Ferry Road and approximately 160  
LF of four inch (4") lateral to service a proposed 6,405 SF retail  
building containing a Dunkin Donuts with a drive-thru component.

**COMMENTS:**

1. Preliminary Review fees have been paid.
2. The Applicant must agree to contribute \$600.00 per EDCU  
toward the upgrade of the downstream facilities impacted by  
the additional sewage flow of this project.
3. Based on the number of additional units that this applicant  
would add to the sewerage collection system, it was determined  
that the existing gravity sewer did not require a capacity study.
4. There are no existing residential dwellings in the area to be  
provided with municipal sewer service.
5. Applicant has indicated that proposed sanitary sewer main will  
be dedicated to the Authority and the service lateral will remain  
privately owned and maintained by the Applicant.
6. Submit proof of Township Planning/Zoning Approval (signed  
Resolution) when available.
7. The Applicant shall provide proof of title showing that it is  
the owner of the property.
8. Technical design review of the drawings will be performed  
after receipt of a complete Tentative Sewer Application  
submittal.
9. Submission deadlines for a Tentative Sewer Application  
package are as follows:

A. December 30, 2015

B. January 27, 2016

C. February 24, 2016

10. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
11. Recommend Preliminary Sewer Approval subject to the following four (4) conditions:

**CONDITIONS:**

1. Applicant shall pay all applicable fees.
2. All comments from this Engineer's Report dated December 11, 2015, shall be addressed with the Tentative Sewer Application.
3. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
4. This Tentative Sewer Approval shall expire one (1) year from the date of the resolution.

A motion to approve Dunkin Donuts/Bentley Realty Group, Inc W15-517, Preliminary Sewer was made by Dr. Greenberg and seconded by Mr. Greene.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes          0 Nays          2 Absent

Engineering Reports: Michael Roy, P.E.  
None

Financial Report: Michelle Smith, Comptroller

Mrs. Smith stated that revenues are projected to be on target with the budget. Expenses are anticipated to be about the same as projected last month (approximately 7% under budget). There are capital projects provided for in the budget that are being funded

either by an NJEIT loan or with the remaining balance in the 2008 bond.

The amount included in the tax sale was \$573,000 or 790 accounts, which represents about 4% of the Authority's total accounts. The original amount to be included in the tax lien as of October 1 was \$1.1 million.

A motion to authorize the advertisement of the connection fee rate hearing to be held on January 20, 2016 at 6:30 p.m. was made by Mr. Haney and seconded by Dr. Greenberg.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes          0 Nays          2 Absent

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

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes          0 Nays          2 Absent

#### Bills & Claims

A motion to approve Bills & Claims in the amount of \$1,832,954.68 was made by Mr. Haney and seconded by Mr. Greene

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes          0 Nays          2 Absent

Legal Report: Mitchell B. Jacobs, Esq.

Mr. Jacobs stated that there is a pending Bill in the legislature attempting to place a 2% cap on yearly increases to customers. Due to opposition, that Bill has been pulled and placed back into committee, but his opinion is that it is "dead in the water".

There is a Bill currently in committee that would require all political subdivisions that maintain video cameras on the perimeter of their properties to submit to law enforcement officials the tapes from those cameras. Currently, the law enforcement officials would have to subpoena the videos, but the new bill, if approved, would require only written notice to the political subdivision.

A motion to accept the Legal Report was made by Mr. Greene and seconded by Dr. Greenberg.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes          0 Nays          2 Absent

Old Business: None

New Business: None

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

Executive Session: A motion to go into Executive Session at 12:18 p.m. was made by Dr. Greenberg and seconded by Mr. Greene.

The roll call was as follows:

AYES: Greenberg, Greene, Carlock, Haney

NAYS: None

ABSENT: Testino, Weber

4 Ayes            0 Nays            2 Absent

**The Regular Meeting resumed at 12:47 p.m.**

**During Executive Session the following items were discussed:**

- 1. Brunetti Litigation**
- 2. Access to Authority property**

***Resolution***

A motion to approve a resolution permitting access to the Authority's property for the sole purpose of installing a concrete pad in accordance with plans submitted to the Authority, such access being subject to the Township of Old Bridge providing the Authority with an indemnification hold harmless agreement and an insurance certificate naming the Municipal Utilities Authority as an additional insured was made by Mr. Haney and seconded by Mr. Greene.

The roll call was as follows:

AYES: Greene, Carlock, Haney

NAYS: None

ABSENT: Greenberg, Testino, Weber

3 Ayes            0 Nays            3 Absent

Open to Public:

Mr. Krawiec (66 Hilliard Road) addressed the Commissioners with respect to a sewage backup at his residence.

At the conclusion of a lengthy discussion, Mr. Haney suggested that there should be a comprehensive file containing the details of the work performed and suggested written communication to Mr. Krawiec clarifying the Authority's position with respect to the problem at his residence.

Adjournment: A motion to adjourn at 1:03 p.m. was made by Mr. Greene and seconded by Mr. Haney.

The roll call was as follows:

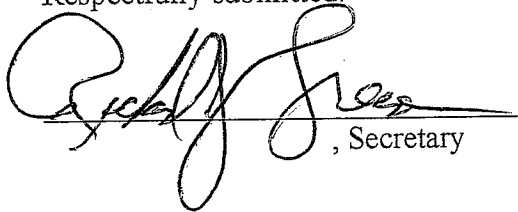
AYES: Greene, Carlock, Haney

NAYS: None

ABSENT: Greenberg, Testino, Weber

3 Ayes      0 Nays      3 Absent

Respectfully submitted:

  
\_\_\_\_\_  
, Secretary