

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
January 19, 2011**

Call to Order: The Regular Meeting of January 19, 2011 was called to order at 7:00 p.m. with the Pledge of Allegiance by Secretary Galante.

Announcement: Secretary 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, Secretary  
Kiran Desai, Treasurer  
Rocco Donatelli, Commissioner  
Reginald Butler, 1<sup>st</sup> Alternate – Assistant Secretary  
Richard Greene, 2<sup>nd</sup> Alternate – Assistant Treasurer

Absent:  
Nicholas Smolney, Chairman  
Edward Testino, Vice-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, Executive Director

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

Also included in the Commissioners' packet is a proposed 2011 Schedule of Meetings to be held on the third Wednesday of the month, an exception being during the month of November, when the meeting will be held on Monday.

Executive Director Donatelli also mentioned that he along with Mayor Phillips, Louis Granata, Esq., and Michael Roy placed a conference call to the Director of the Division of Local Government Services with respect to the pending sale of the Old Bridge Township land to the Authority for the proposed creation of an Aquifer Recharge Basin, the details of which are included in his report to the Commissioners.

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

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

Chairman's Report: None.

Previous Minutes:    Executive Session    -    December 15, 2010  
                              Regular Meeting        -    November 15, 2010  
                              Executive Session    -    November 15, 2010  
                              Regular Meeting        -    November 10, 2010  
                              Executive Session    -    November 10, 2010

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

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante

NAYS: None

ABSENT: Smolney, Testino

5 Ayes            0 Nays            2 Absent

Regular Meeting        -    December 15, 2010

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

AYES: Desai, Donatelli, Butler, Galante.

NAYS: None.

ABSTAIN: Greene.

ABSENT: Smolney, Testino.

4 Ayes          0 Nays          1 Abstain      2 Absent

Engineering Reports: Michael Roy, P.E.

**Woodhaven Plaza/Woodhaven Village, Inc.**

- 1. W96-432, Tentative Water – 31 + 4 Fire =  
35 EDCU's**
- 2. S96-324, Tentative Sewer – 31 EDCU's**

Mr. Roy reported that this project is an 118,050 SF Shopping Center consisting of four (4) retail buildings along Texas Road between Murray Drive and Englishtown Road.

The construction consists of approximately 3,350 LF of eight (8) inch DIP water main to connect into the existing twelve (12) inch water mains in Texas Road and Murray Drive to service the shopping plaza.

The Authority granted Preliminary Approval with the 1998 Woodhaven Agreement. Township Preliminary Planning Board approval was granted on August 12, 2010.

The developer must address the plan revisions noted in the report to put together their NJDEP Drinking Water Permit Application and Treatment Works Approval.

Tentative Water and Sewer approvals are recommended subject to the conditions in the Engineer's Report.

A motion was made to approve as recommended Woodhaven Plaza/Woodhaven Village, Inc. W96-432, Tentative Water and S96-324, Tentative Sewer by Mr. Donatelli and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

**Old Bridge Manor, Phase III/Old Bridge Manor, Inc.  
/5 Units**

**3. W204-556, Final Water**

**4. S204-437, Final Sewer**

Mr. Roy reported that this project consists of the construction of approximately 540 LF of eight (8) inch DIP water main to connect into an existing water main at the intersection of Heathrow Lane to service five (5) single family units.

The Authority granted Tentative Approval on July 16, 2008. Township Final Planning Board Approval was granted on June 24, 2008.

All technical requirements sufficient for Final Water and Sewer Approvals have been satisfied. Final Water and Sewer Approvals are recommended subject to the conditions in the Engineer's Report.

A motion was made to approve as recommended Old Bridge Manor, Phase III, W204-556 Final Water and S204-437, Final Sewer by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

**Wawa – Route 9/Wawa, Inc**

- 5. W208-595, Preliminary & Tentative Water – 5 + 2 Irrigation + 1 Fire = 8 EDCU’s**
- 6. S208-469, Preliminary & Tentative Sewer – 5 EDCU’s**

Mr. Roy reported that this project consists of the construction of a fire hydrant and two (2) inch water service to connect into the existing water main in Old Amboy Road to service a proposed gas station and a 4,773 SF mini-mart on the southbound side of Route 9 and located just north of All American Ford (formerly Oasis Ford).

Preliminary and Tentative Water and Sewer approvals are recommended subject to the conditions in the Engineer’s Report.

A motion was made to approve as recommended W208-595, Preliminary & Tentative Water and S208-469, Preliminary & Tentative Sewer by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

**Route 34 Corp. Minor Subdivision/The Route 34 Corporation**

- 7. S10-488, Minor Sewer – 2 Units**

Mr. Roy reported that this project consists of the construction of two (2) private pump stations and two (2) private force mains to connect into an existing gravity sewer in Morganville Road to service two (2) single family units.

The technical requirements sufficient for Minor Sewer Approval have been satisfied. Minor Sewer Approval is recommended subject to the conditions in the Engineer’s Report.

A motion was made to approve as recommended Route 34 Corp. Minor Subdivision S10-488, Minor Sewer by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes          0 Nays          2 Absent

Superintendent's Report:

Al Lunkenheimer, Superintendent Sewer Division

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

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes          0 Nays          2 Absent

Engineering Reports:

**1. Annual Contract – Sewer Field Services, Contract No. S10-147**

Mr. Roy reported that on May 4, 2010, the Authority awarded this contract to ARBE Landscaping by Resolution No. M-25-10 for emergency sewer work. On September 14, 2010, Ronald Butler, President of ARBE Landscaping, passed away. Mrs. Butler, although she was attempting to fulfill the contract, has not been able to and has requested she be released from the contract.

ARBE Landscaping has made arrangements with B&W Construction Company to assume the obligations outlined in the

contract until its expiration on May 31, 2011 subject to the terms, conditions and pricing of the original contract. In a letter dated January 5, 2011, B&W Construction confirmed its commitment to that obligation.

Mr. Roy recommends that B&W Construction assume the responsibility for this contract until its expiration on May 31, 2011, at which time the Authority will advertise for public bids for these services for the following year beginning June 1, 2011.

Mr. Galante inquired if ARBE Landscaping would retain the bonding.

Mr. Roy explained that there was no performance bond for this contract because they only received payment for work performed.

A motion was made to approve as recommended that B&W Construction Company be authorized to assume the responsibilities of Contract No. S10-147 until the expiration date of May 31, 2011 by Mr. Donatelli and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

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

Mr. Roy added that what precipitated this was a serious problem on Marlboro Road occurring on December 3, 4, 5 and 6, 2010 involving a collapsed pipe. Since the emergency contractor, ARBE Landscaping, was not able to respond, Viking Construction was hired to assist in the emergency work and Pumping Services, Inc. performed the by-pass pumping services.

The requirements of the bid laws were followed, i.e., an actual, imminent emergency existed requiring immediate delivery of goods and the performance of service; the Superintendent notified the Executive Director who evaluated the situation and determined

that an emergency existed; this was an unforeseen incident; the vendors were hired for a limited duration to meet the immediate needs of the emergency; and a multi-year contract was not entered into.

Mr. Roy recommended authorizing the emergency situation on Marlboro Road on December 3, 4, 5, and 6 under the bid laws in order to pay the vendors separate from the contract with ARBE Landscaping.

A motion was made to approve as recommended the payment to Viking Construction and Pumping Services, Inc. for emergency work performed on Marlboro Road on December 3, 4, 5 and 6, 2010 by Mr. Butler and seconded by Mr. Galante.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

## **2. Iresick Brook Interceptor – Phase 1 Rehab., Change Order No. 1**

Mr. Roy explained that this change order to Jo-Med Contracting Corp. prepared by R3M Engineering consists of a no cost change order to change the methodology of the rehabilitation work within the original contract limits from the installation of the cured-in-place liner to the removal and installation of a new twenty-four (24) inch pipe. The contract amount remains the same as the original contract amount of \$136,580.00, a zero percent increase.

A motion was made to approve as recommended Iresick Brook Interceptor – Phase 1 Rehab., Change Order No. 1 by Mr. Desai and seconded by Mr. Galante.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.



ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

### **3. Waterworks Road Sewer Rehab., Contract No. 2010-1, Award Contract**

Mr. Samuel explained that this project is for the Waterworks Road Sewer Rehabilitation Project including the relining of the sewer along Journey Mill Road and across the railroad tracks in that vicinity. Out of five bidders for the project, the apparent low bid was submitted by Spiniello Companies of Livingston, NJ, with a total bid price of \$1,327,890.00. The four other bidders prices ranged from \$1.38 million up to \$1.843 million.

Mr. Samuel recommended the award of the bid to the low bidder, Spiniello Companies, subject to DEP approval in the amount of \$1,327,890.00.

A motion was made to approve as recommended the award of Contract No. 2010-1, Waterworks Road Sewer Rehabilitation to Spiniello Companies in the amount of \$1,327,890.00 by Mr. Butler and seconded by Mr. Greene.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

### **4. Crossroads Regional Interceptor – Bid & Construction Services to R3M Engineering**

Mr. Roy advised the Commissioners that the NJEIT program is being revamped as it relates to approval timeframes.

Mr. Samuel stated that over the last two and one-half months, the DEP has requested that technical revisions be made and technical issues be addressed associated with the Crossroads Interceptor to

achieve a closing in mid February. "Closing" was formerly meant to mean both a technical and a financial closing. It was determined that no contact had been made on the financial side for any bond closing on the project

As a result a call was placed to the Acting Assistant Director at the Municipal Finance Office of the NJEIT and the coordinator of all the financing programs. He indicated that the NJEIT is revamping their programs with seminars scheduled for the February 1 and 3, 2011 which the Authority will be attending.

Although a technical closing for the Crossroads project is anticipated in mid February, no bond closing is expected until presentations are made on the revised financing program in February. The program is expected to be enhanced from the standard 50/50 loan situation where 50% would be a zero percent loan and another 50% would be a market rate loan.

They are anticipating that 75% of the project cost would be funded at zero percent interest, and 25% of the project cost would be funded at the bond market rate, i.e., if there were a 4% standard bond rate, the Authority would be paying 1% interest for the project.

NJEIT is also discussing bond closings not occurring until possibly the end of this year or next year at the earliest. They are also offering a 0% bridge loan to anyone eligible for the funding for the period between the time you would want to start construction and the time of the actual closing on the bond.

The NJEIT has indicated that both the Summerfield Gravity Sewer Rehabilitation and the SCADA System would be eligible for the potentially enhanced program along with the Crossroads project. They are willing to meet with Authority representatives during the week following the roll out of this new financing program.

Mr. Roy added that in order to have a technical closing for Crossroads, we need to authorize the Bid and Construction Services to R3M.

Mr. Galante requested that this item be held for further discussion later in the meeting.

Financial Report: Stephen A. Florek II, Comptroller

Mr. Florek requested the approval of the renewal of the Vision Services Plan contract with a 3.99% increase for a two-year contract.

A motion was made to approve as recommended the renewal of the Vision Services Plan two-year contract with a 3.99% increase by Mr. Desai and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes          0 Nays          2 Absent

Legal Report: Louis E. Granata, Esq.

Mr. Granata stated that with respect to the Rams Field project, the bonding company has begun paying its obligations under the bonding and the performance contracts. Mr. Roy has been submitting bills, and they are paying them, under the performance bond. There are two separate payments. We awarded a contract to a third party to get the work done. We pay them, and we get reimbursed.

A motion was made to approve the legal report by Mr. Galante and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes          0 Nays          2 Absent

Bills & Claims: Mr. Desai announced that a bill in the amount of \$98,992 will be added to the Bills & Claims.

A motion to approve Bills & Claims in the amount of \$1,705,135.70 was made by Mr. Desai and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes            0 Nays            2 Absent

Old Business:

**Recharge Basin Study – Status**

Mr. McClelland stated that with respect to the Recharge Basin Project, the DEP has been contacted for the purpose of setting up a meeting with the Office of Geological Survey. Boring reports have been sent to the DEP, and he is waiting to hear back from them.

**Crossroads Regional Interceptor – Status**

Mr. Roy reported that minutes of the public hearing held on December 21, 2010 were included in the Commissioners' packets. This meeting was part of the requirements that the DEP has been rushing us to do by the beginning of February in order to certify the project as complete and to finance the Crossroads project.

Mr. Samuel stated that the Cultural Resource Survey has been completed establishing that only twentieth century artifacts (beer cans, bottle caps, etc.) had been discovered. There are no historical or archeological artifacts, and no further investigation is required. That report has been forwarded to the DEP.

**Brunetti Oaks at Glenwood Development – Status**

Mr. Granata stated that this matter would be discussed in Executive Session.

Open to Public:

Dr. Greenberg inquired as to the amount paid to the appraiser with respect to the recharge basin project and on what basis that appraiser was chosen.

Executive Director Donatelli responded that the amount was \$4,400.

Mr. Granata stated that he chose the appraiser out of the phone Book; this person was familiar with the area; and his fee was reasonable. Judge Longhi was hired as a mediator to meet with both appraisers, and Judge Longhi made a decision based upon his mediation.

When asked who made the decision to hire a mediator, Mr. Granata responded that both he and Mr. Convery, the Township Attorney, made that decision. Judge Longhi was paid \$600 by the Authority.

Dr. Greenberg expressed her frustration that the purchase price of the property agreed upon was the medial of the appraisal price given by the Authority's appraiser (\$4.6 million) and that of the township's appraiser (\$6 million).

Mr. Granata stated that the Director of the Division of Local Government Services gave his approval of the project.

Dr. Greenberg expressed her opinion that recharge basin is not a good project, and she fears that the Authority is depleting their surplus.

Mrs. Walker requested the Authority to attach snow markers to the fire hydrants.

Executive Director Donatelli stated that the only work performed on fire hydrants is maintenance, but that the Fire Districts are welcome to attach snow markers.

**Seeing no further hands, Mr. Galante closed the public portion.**

Executive Session:

A motion was made to go into Executive Session at 7:35 p.m. by Mr. Butler and seconded by Mr. Donatelli.

The roll call vote was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes          0 Nays          2 Absent

**Regular Meeting Reconvened at 8:05 p.m.**

**During Executive Session Mr. Granata discussed with the Commissioners the status of the Brunetti Litigation. Mr. Samuel discussed with the Commissioners the Crossroads Regional Interceptor project.**

**Brunetti Litigation**

A motion was made as recommended by Mr. Granata to authorize Special Council to file a COAH Status Report on behalf of the Township of Old Bridge by Mr. Desai and seconded by Mr. Donatelli.

The roll call vote was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes          0 Nays          2 Absent

Engineering Report: Michael Roy, P.E.  
(cont'd.)

**4. Crossroads Regional Interceptor –  
Bid & Construction Services to R3M Engineering**

Mr. Roy stated that a requirement of the DEP is for the Authority to be certified technically complete by the first week in February. This includes authorizing an engineering firm to perform the bid phase, the engineering services during construction in the office, and the field inspection. This is work that will take place over a year and one-half as estimated for a \$6.5 million project which consists of 9,500 feet of PVC, which for the most part, is going to be bored and tunneled across wetlands, Rt. 18 and Rt. 9. This is a very sophisticated construction method which the Authority is

required to do because of the environmental constraints and the constraints of the highways. Based on that, this amount will be twelve (12) percent of the construction costs.

Mr. Galante asked when this was normally done.

Mr. Roy responded that this work was normally authorized at the same time as the award of a contract because there is a better idea of what the contractor is going to do, but this is an accelerated time frame with the DEP because they have completely revamped the NJEIT program, and they are requiring us to get the engineers hired for construction before we go out to bid. In addition to that, we are going to have to award a contract to a contractor before the loans can be closed.

Mr. Desai asked if \$828,000 is an estimate or could the number be higher or lower.

Mr. Samuel responded that the number for the resident inspection is an estimate. He has attempted to consider all the issues, but there are situations where higher priced people may be needed for shorter periods of time, or lower priced people may be required for some of the simpler tasks. This will depend on the type of contractor and the type of work that is actually performed. The number could vary.

The work will involve the review of approximately one hundred ten (110) submittals including all of the micro tunneling equipment alignments calculations designs. This will include approximately forty (40) requests for information which are questions which the contractor asks to clarify exactly what is needed or what is required for the different parts of the project. He is anticipating twenty-four (24) hourly progress meetings to be followed by minutes, records and documentation for the contractor. He is anticipating approximately fifteen (15) pay requests for review, and all sorts of record documents and contract close out documents for the project.

With respect to resident observation services, he is anticipating that the total construction project will last approximately five hundred thirty (530) calendar days. Resident observation for active construction is approximately four hundred (400) calendar days. Based on that amount, he has estimated services at approximately \$528,000 which includes full-time resident observation using geotechnical inspectors to observe the micro tunneling, alignment and set up of performance and to observe and comment on the soils

removed and where those soils will be replaced and backfilled, and general observation in conformance with the contract.

There is approximately 9,500 feet of pipe, and potentially anywhere from ten (10) to forty (40) micro tunneling setups depending on the contractor performing the work. Micro tunneling reaches could go anywhere from two hundred (200) to five hundred (500) feet.

A motion was made to approve as recommended Crossroads Regional Interceptor – Bid & Construction Services to R3M Engineering by Mr. Donatelli and seconded by Mr. Butler.

The roll call vote was as follows:

AYES: Desai, Donatelli, Butler, Greene, Galante.

NAYS: None.

ABSENT: Smolney, Testino.

5 Ayes          0 Nays          2 Absent

Adjournment: A motion was made to adjourn at 8:12 p.m. by Mr. Butler and seconded by Mr. Donatelli.

The motion was approved by an ALL AYES vote.

Respectfully submitted:

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Thomas Galante, Secretary