

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
February 3, 2010**

- Call to Order: The Regular Meeting of February 3, 2010 was called to order at 7:00 p.m. with the Pledge of Allegiance by Chairman Smolney.
- Announcement by Chairman: Chairman Smolney 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:
Nicholas Smolney, Chairman
Edward Testino, Vice-Chairman
Thomas Galante, Secretary
Kiran Desai, Treasurer
Rocco Donatelli, Commissioner
Reginald Butler, 1st Alternate – Assistant Secretary
Richard Greene, 2nd Alternate – Assistant Treasurer
- Absent:
None
- Also present:
Guy Donatelli, Acting Executive Director
Michael Roy, P.E.
Louis E. Granata, Esq.
- Absent:
Stephen A. Florek II, Comptroller
- Executive Director's Report: Guy Donatelli, Acting Executive Director.
- Mr. Donatelli stated that there are no additions to his report. Mr. Donatelli asked that the Commissioners adopt the 2010 meeting schedule.
- A motion was made to approve the Executive Director's Report by Mr. Smolney and seconded by Mr. Galante.
- The roll call was as follows:
- AYES: Desai, Donatelli, Galante, Testino, Smolney.

NAYS: None.

5 AYES 0 NAYS 0 ABSENT

Chairman's Report: Nicholas R. Smolney

Mr. Smolney stated that Mr. Weitzman's is here tonight regarding the settlement proposal with Middlesex Water Company.

Mr. Roy stated that he had questions at the last meeting regarding the figures that were used. Mr. Roy has conversed with Mr. Guastella and Mr. Florek and is satisfied with the figures that were used. Mr. Roy agrees that the settlement is the right way to go.

A motion was made to settle with Middlesex Water Company for their proposed rate increase by Mr. Desai and seconded by Mr. Donatelli

The roll call was as follows:

AYES: Desai, Donatelli, Galante, Testino, Smolney.

NAYS: None.

5 AYES 0 NAYS 0 ABSENT

Previous Minutes: None.

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

None.

Superintendent's Report: Harry Penley, Sewer Division

None.

Superintendent's Report: John Murphy, III, Supt.
Treatment, Water Division
Guy Donatelli, Supt.
Distribution, Water Division

A report will be given at the next meeting.

Engineering Report: Michael Roy, P.E.

1. Wawa (Englishtown Road) Developer Agreements W206-570, S206-446

Mr. Roy stated that these standard Developer Agreements for water and sewer approval and recommended countersigning the agreements. This application is for a gas station and convenience store.

A motion was made to approve as recommended the Wawa (Englishtown Road) Developer Agreements W206-570, S206-446 by Mr. Testino and seconded by Mr. Galante.

The roll call was as follows:

AYES: Desai, Donatelli, Galante, Testino, Smolney.

NAYS: None.

5 AYES 0 NAYS 0 ABSENT

2. Crossroads Regional Interceptor – Application to the NJEIT Program

Mr. Roy stated that this application and the following two had been passed over for stimulus money and the State asked us to reapply. The Crossroads project has been designed to be the major sewer system improvement necessary for the potential development in the Township Economic Development area. In order to go forward with this, authorization is needed for a new application filing with the NJEIT.

A motion was made to approve as recommended the Crossroads Regional Interceptor – Application to the NJEIT Program by Mr. Desai and seconded by Mr. Smolney.

The roll call was as follows:

AYES: Desai, Donatelli, Galante, Testino, Smolney.

NAYS: None.

5 AYES 0 NAYS 0 ABSENT

3. Higgins Road and Route 516 Water Tank Connection – Application to the NJEIT Program

Mr. Granata suggested that this matter not be acted on until after the Executive Session.

4. Waterworks Road Relining – Application to the NJIET Program

Mr. Roy stated that this is a NJEIT application that has yet to be submitted for funding, a letter of intent to apply was submitted in October of 2009. The loan application deadline is March 1, 2010. This project is needed because of sewer pipe deterioration. The 1995 Brunetti Sewer Agreement required that the Authority install a 42 inch trunk sewer on Waterworks Road for Brunetti to connect into. Because of Brunetti's delay in completing the work under the '95 Agreement, the trunk sewer has been under utilized and is deteriorating. Mr. Roy recommends authorizing this NJEIT application for the relining of this trunk sewer. The deadline for this application is also March 1, 2010.

A motion was made to approve as recommended Waterworks Road Relining – Application to the NJIET Program by Mr. Testino and seconded by Mr. Smolney.

The roll call was as follows:

AYES: Desai, Donatelli, Testino, Butler, Smolney.

NAYS: None.

NO PARTICIPATION: Galante.

5 AYES 0 NAYS 0 ABSENT 1 NO PARTICIPATION

Financial Report: Stephen A. Florek, II, Comptroller

None.

Public Portion: Mr. Michael Hegarty stated that he requested in writing in December the return of the full amount of his escrow funds. The full amount was not returned, a portion of it was applied to legal fees. Mr. Hegarty feels that this should not be the case, and requested the full amount be returned. Mr. Hegarty stated that the balance to be returned is about \$660.00.

Mr. Granata stated that he would look into the specifics and get back to the Commissioners.

Dr. Anita Greenberg expressed her disappointment in the actions of the Commissioners at the last meeting, whereby certain employees had their benefits taken away.

Dr. Greenberg stated that there are Commissioners on this board that are receiving benefits and if added over a five year term, costs the MUA \$125,000.00. The Commissioners should consider forgoing their life, health, vision, dental and prescription benefits and possibly issue a reduction in the water and sewer rates. There are members of this board that are already receiving benefits, and she believes that it is not necessary to receive full time benefits for a part time position.

Dr. Greenberg also stated that Mr. Desai should not be discussing certain financial matters, because his son works for the accounting firm that does the audit for the MUA.

Ms. Seiler stated that she agrees that these positions do not merit benefits.

Seeing no hands, Chairman Smolney closed the public portion.

Legal Report: Louis Granata, Esq.

Mr. Granata stated that his report will be given in Executive Session as it pertains to pending litigation.

Executive Session A motion was made to go into Executive Session at 7:25p.m. by Mr. Donatelli and seconded by Mr. Galante.

The roll call was as follows:

AYES: Desai, Donatelli, Galante, Testino, Smolney.

NAYS: None.

5 AYES 0 NAYS 0 ABSENT

Meeting Reconvened at 8:22p.m.

During the Executive Session Mr. Granata reviewed with the Commissioners the issues regarding the Deep Run Condominium Development water main leak and the Brunetti Litigation.

Meeting Schedule

Mr. Smolney stated that he would like the Commissioners to vote on the meeting schedule that he has provided to each Commissioner, which lists one meeting a month. Mr. Smolney stated that a special meeting can always be added if there is a need.

A motion was made to adopt the 2010/2011 meeting schedule by Mr. Smolney and seconded by Mr. Galante.

The roll call was as follows:

AYES: Desai, Donatelli, Testino, Butler, Smolney.

NAYS: None.

NO PARTICIPATION: Galante.

5 AYES 0 NAYS 0 ABSENT 1 NO PARTICIPATION

Promotion of Sewer Superintendent

A motion was made by Mr. Testino and seconded by Mr. Galante to promote Mr. Al Lunkenheimer into the position of Superintendent of the Sewer Division that will become vacant upon Mr. Penely's retirement. The proper C4 licenses are held by

Mr. Lunkenhiemer and the NJDEP requires that a replacement be named.

The roll call was as follows:

AYES: Desai, Donatelli, Testino, Butler, Smolney.

NAYS: None.

NO PARTICIPATION: Galante.

5 AYES 0 NAYS 0 ABSENT 1 NO PARTICIPATON

Old Business:

Laurence Harbor Sewer Interceptor Replacement – Status
No Discussion.

Crossroads Regional Interceptor – Status
Discussed earlier in the meeting

Rte. 516 Cheesequake Booster & Various Upgrades – Status
Discussed earlier in the meeting

Higgins Road and Rt. 516 Water Tank Connection – Status
Discussed earlier in the meeting

Brunetti Oaks at Glenwood Development – Status
Discussed in Executive Session

Groundwater Diversion Rights – Status
No discussion.

Summerfield Avenue/Lantana Way/Rowan Way Sewer Main Break – Status
Mr. Roy stated that there have been no changes since the last meeting.

Adjournment:

A motion was made at 8:30 p.m. to adjourn the meeting by Mr. Smolney and seconded by Mr. Butler.

The roll call was as follows:

AYES: Desai, Donatelli, Galante, Testino, Smolney.

NAYS: None.

ABSENT: Donatelli, Testino, Lane.

5 AYES

0 NAYS

0 ABSENT

Respectfully Submitted:

Thomas Galante, Secretary