

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
June 15, 2022

Call to Order: The Regular Meeting of June 15, 2022, was called to order at 7:00 p.m. by Chairman Walker with the Pledge of Allegiance.

Announcement: Chairman Walker announced that this meeting is in conformance with the Open Public Meetings Act. Notice has been published in the Asbury Park Press on January 22, 2022, and in the Home News Tribune on January 22, 2022. Notice of the meeting has been posted at 15 Throckmorton Lane, Old Bridge, at 71 Boulevard West, Cliffwood Beach, and on the OBMUA Website at www.obmua.com.

Roll Call: This Public Meeting is being recorded.

Present:

Bruce Walker, Chairman
Frank Weber, Vice Chairman (Arrived at 7:05 p.m.)
Anita Greenberg, Treasurer
John E. Murphy, Commissioner
Thomas Galante, First Alternate Commissioner
(Arrived at 7:11 p.m.)
Edward Casserly, Second Alternate Commissioner

Absent:

Mark Razzoli, Secretary

Also Present:

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

Executive Director's
Report:

Mr. Donatelli said that he has the usual items on his report, and asked if anyone had any questions?

There were none.

Middlesex Water Company (MWC) Rate Increase:

Mr. Donatelli said, as previously reported to the Board, MWC has notified us of a Purchased Water Adjustment Clause water rate increase of approximately (4%). At the last Board meeting, the Authority approved a

Shared Service Agreement with Marlboro Township for us to combine efforts to oppose MWC's water rate increase. The opposition involves utilizing the Rate Expert and the Rate Counsel appointed by the Authority at its Reorganization Meeting in which Marlboro Township will now share in the costs in accordance with this shared service agreement. The opposition process is now under way, and it is unlikely to end in an acceptable settlement. A hearing date with an Administrative Court Judge is expected to be scheduled for some time in August.

Mr. Roy said that when MWC hit us with that big increase last year, we started looking into what they were doing. He said each time we investigated, we saw that they were doing something wrong, and when we pointed it out to them, the rate increase was revised down. He said that the Purchased Water Adjustment Clause that they have been charging us for many years is basically a pass along. Mr. Roy said that they have four interconnections with New Jersey American Water Co. He said that New Jersey American Water Co. separately has a rate increase with the BPU, and then the expenses for MWC goes up, and Middlesex passes that cost along to us instead of them waiting for their next rate increase. Mr. Roy said that it is a couple of million dollars of additional expense to MWC that they want to pass along to us and other customers.

Mr. Roy said that up to now, we have not opposed it because it was \$40,000 to \$50,000. He said suddenly now on the back of the 35% increase that we just got from them, they want to pass along another 4% which is about \$140,000.

He said that we were ready this time because we had a Rate Expert appointed at the Reorganization Meeting, and we have been having virtual meetings in attempt to reach a settlement before we go to Court. He said that we have already gotten the cost down to \$50,000, but we are not happy with it until we get to zero. He said that we are talking about water that they buy up in Menlo Park and which we never get. We only get surface water from them, and they know that this purchased water does not come down to us.

Mr. Donatelli said that we have a very strong argument, and we think that we can prevail in this opposition.

Mr. Roy said that if we accept the \$50,000, they will continue to do this in the future. This is water that we do not get from New Jersey American Water Co. We only get the surface water that is from MWC's CJO Plant in Edison, with one leg transmitting water through East Brunswick, and

the other leg transmitting water through Perth Amboy. He said that there is no New Jersey American Water that gets into these transmission lines.

Dr. Greenberg asked what was the reason for charging us then?

Mr. Donatelli said they call it a combined system, and anyone connected pays. He said that when there was a problem, MWC made it clear that the water from there cannot get to us, but they want to pass along a cost.

Mr. Donatelli said, however, surprisingly, East Brunswick is not being charged by MWC.

Mr. Donatelli said that we have a good team together, and we hope that we can get the cost to zero, and maybe then even get some money back.

Attorney Jacobs said that the team between Old Bridge and Marlboro has been very aggressive on this one, because of all the different rate increases, it appears that this is the one that we have the best argument. He said that if the Commissioners agree with this strategy, we will continue to proceed.

Dr. Greenberg said absolutely, yes to proceed.

Attorney Jacobs said we can go to trial, and let the Administrative Judge decide who is right and who is wrong.

Middlesex County Drainage Work on Cottrell Road

Mr. Donatelli said that his next item is the Middlesex County Drainage Work on Cottrell Road. He said that Middlesex County has awarded a contract to perform drainage improvements along a stretch of Cottrell Road between Spring Hill Road and the JCP&L high voltage power line easement. This approximately 2,300 feet of road improvement includes three new large culverts, drainage piping, catch basins, sidewalk, curb and paving.

He said that the Authority's existing 12" cast iron water main conflicts with the proposed drainage work at six locations. The County has asked us to move our water main to allow their connection. A proposal for Engineering Services to design a project to go out to public bid for relocation of the existing water main in Cottrell Road is listed on the agenda under the Engineering Report.

Mr. Donatelli said that if the County had contacted us and given us enough time to move the water main, we could have gone out to bid and gotten out

of their way. He said instead, they didn't contact us before they went out to bid. He said that whoever was in charge, did not have all the players together. Mr. Donatelli said that the job is on hold now until we can move the water main.

Mr. Donatelli said Mr. Roy will discuss this in his report.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Casserly, Walker

Nays: None

Absent: Razzoli, Galante

5 Ayes 0 Nays 2 Absent

Chairman's Report: Chairman Walker said he does not have a report.

Previous Minutes: **Regular Meeting – April 20, 2022**

A motion to approve the Regular Meeting Minutes of April 20, 2022, was made by Dr. Greenberg and seconded by Mr. Galante.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Galante, Walker

Nays: None

Absent: Razzoli

5 Ayes 0 Nays 1 Absent

Superintendent's
Report:

Charles Winkler, Superintendent, Sewer Division

Mr. Winkler said that he submitted his report, and asked if anyone had any questions?

There were none.

A motion to accept Mr. Winkler's Sewer Division Report was made by Dr. Greenberg and seconded by Mr. Galante.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Galante, Walker

Nays: None

Absent: Razzoli

5 Ayes 0 Nays 1 Absent

Engineering Reports: Michael Roy, P.E.

REPORT UPON DEVELOPER'S APPLICATIONS FOR APPROVAL

**The Vista at Old Bridge/Vista at Old Bridge LP
82 EDCUs (73 Apartments, 5 Clubhouse, 4 Fire)**

1. Water Application for Preliminary Approval, W22- 704

TYPE: RESIDENTIAL

USE: DOMESTIC AND FIRE PROTECTION

BLOCK/LOT: 20000/79.11 (27.11 Acres)

LOCATION: Located on the west side of Marlboro Road, adjacent to the Authority's Marlboro Road Storage Tank site.

DESCRIPTION: Construction of approximately 700 LF of eight-inch (8")

on-site water main by connecting to the existing 16" water main on the unnamed gravel access road to service three (3) 3-story apartment buildings consisting of twenty-four (24) apartments each and a 4,663 SF Clubhouse that includes one (1) apartment, for a total of 73 residential apartment units.

COMMENTS:

1. Balance of Application and Preliminary Review fees are due with the Tentative Water Application submittal.
2. Based on the proposed number of units it was determined that the water distribution system can accommodate the additional demand.
3. There are no existing residential dwellings in the immediate area to be provided with municipal water service.
4. Applicant to indicate if lawn irrigation is proposed for this site in order to adjust the E.D.C.U. demand and number of approved units.
5. Provide peak water demand in gallons per minute (gpm) and a listing of the number of fixture types for the purpose of sizing the water meter.
6. Provide required fire flow demand for the fire suppression system in gallons per minute (gpm) and pressure (psi) for the proposed buildings.
7. Applicant has acknowledged that all proposed water mains and fire hydrants will remain privately owned and maintained by the Applicant.
8. A written private utility maintenance plan shall be submitted for review in accordance with the Authority's Rules and Regulations.
9. Provide quantity estimate in accordance with attached form.
10. Each buildings' water service line shall be sized in accordance with the hydraulic calculation demand by a professional engineer who specializes in fire suppression and approved by the Fire Sub-Code Official at the time of Building Permit Application.
11. The Applicant's Architect shall determine if water pumps are required in order to provide domestic water pressure due to the heights of the residential buildings. Any water pumps that are required must be approved by the Plumbing Sub-Code Official at the time of Building Permit Application.

12. Wet tap drilling operation will be performed by the Authority at a cost in accordance with the Authority's Rate Schedule at the time payment is made.
13. Submit proof of Township Planning/Zoning Approval (signed Resolution) when available.
14. Submit proof of the Fire Official's Approval of hydrant locations.
15. The Applicant shall provide proof of title showing that it is the owner of the property.
16. Provide a list of outside agency permits required for this project including Township Road Opening Permits. It appears that the work under this Application will require an NJDEP Safe Drinking Water Permit.
17. This Preliminary Review Report also contains technical review comments.
18. Revise drawings as follows:
 - a. Indicate water and sewer application numbers on all drawing sheets.
 - b. Indicate a minimum of eighteen-inch (18") clearance between water and sanitary sewer lines and twelve-inch (12") clearance between water and storm sewer lines at all crossings or provide encasements.
 - c. Provide a loop to eliminate dead ends by connecting to the existing water main on Marlboro Road and East Greystone Road.
 - d. Eliminate 90-degree elbows to the extent possible.
 - e. Provide additional hydrant at high points.
 - f. Provide ten (10) foot horizontal separation between proposed sewer and water lines.
 - g. Indicate water mains in profiles to check for conflicts, indicate all crossings including water and sewer services. The profiles shall also include all hydrant and tee locations.
 - h. Provide plumbing schematic of the proposed meter installation.
 - i. Provide only one (1) service connection to the proposed building. The

domestic line shall branch off of the fire line within the building.

- j. Indicate water construction details in accordance with Authority's Standard Details and shown on a separate sheet from other details.
- k. Indicate the Authority's Standard List of Materials for Water Construction on detail sheet.
- l. Add note that states, "Contractor to furnish and install the tapping sleeve and valve. The wet cut drilling operation will be performed by the Authority when the sleeve and valve have been installed and pressure tested by the contractor. Cost of the drilling operation will be in accordance with the Authority's Rate Schedule".
- m. Add note that states, "The Contractor must comply with all State and Federal Confined Space Rules".
- n. Add note that states, "Fire lines will be subject to more stringent pressure testing than the other water mains as prescribed by the Township Building Codes".
- o. Add note that states, "Backflow prevention devices shall be as prescribed by the Township Building Codes".
- 19. Additional technical design review of the drawings will be performed after receipt of a complete Tentative Water Application submittal.
- 20. Submission deadlines for a Tentative Water Application package are as follows:
 - A. June 29, 2022
 - B. July 27, 2022
 - C. August 31, 2022
- 21. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
- 22. Recommend Preliminary Water Approval subject to the following four (4) conditions:

CONDITIONS:

- 1. The applicant shall pay all applicable fees.
- 2. All comments from this Engineer's Report dated June 10, 2022, 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 or as otherwise extended by law. Submission of a Tentative application shall extend this approval by another year.

Mr. Roy recommends Preliminary Water Approval subject to the four Conditions in his report.

Attorney Jacobs said a motion is needed for a resolution approving The Vista at Old Bridge/Vista at Old Bridge LP, Water Application for Preliminary Approval, W22-704 subject to the four conditions in Mr. Roy's June 10, 2022, report.

A motion was made by Mr. Murphy and seconded by Mr. Galante.

There was no discussion.

The roll call vote was as follows:

Ayes:	Greenberg, Murphy, Weber, Galante, Walker		
Nays:	None		
Absent:	Razzoli		
5 Ayes	0 Nays	1 Absent	

**The Vista at Old Bridge/Vista at Old Bridge LP
78 EDCUs (73 Apartments, 5 Clubhouse)**

2. Sewer Application for Preliminary Approval, S22-554

TYPE: RESIDENTIAL

DRAINAGE BASIN: Matchaponix

BLOCK/LOT: 20000/79.11 (27.11 Acres)

LOCATION: Located on the west side of Marlboro Road, adjacent to the

Authority's Marlboro Road Storage Tank site.

DESCRIPTION: Construction of approximately 1100 LF of eight-inch (8") off-site sewer main and 400 LF on-site sewer main by connecting to the existing sewer main on Marlboro Road to service three (3) 3-story apartment buildings consisting of twenty-four (24) apartments each and a 4,663 SF Clubhouse that includes one (1) apartment, for a total of 73 residential apartment units.

COMMENTS:

1. Balance of Application and Preliminary Review fees are due with the Tentative Sewer Application submittal.
2. This project is upstream of the Crossroads Interceptor and once built will contribute sewage flow through Crossroads Interceptor. The Authority was in discussion with the Township for them to pay the contributions for the Township properties that will use the Crossroads Interceptor.
3. Based on the number of additional units that this applicant would add to the sewerage collection system, it was determined that the gravity sewer in Marlboro Road did not require a capacity study.
4. There are no existing residential dwellings in the immediate area to be provided with municipal sewer service.
5. Applicant to acknowledge that all proposed on-site sewer lines will remain privately owned and maintained by the Applicant and all off-site sewer on public right-of-way will be dedicated to the Authority.
6. A written private utility maintenance plan shall be submitted for review which includes periodic sewer main cleaning, in accordance with the Authority's Rules and Regulations.
7. Provide a quantity estimate in accordance with the attached form.
8. The size, slope and installation of the on-site sewer laterals are subject to approval by the Township Plumbing Sub-Code Official.
9. Submit proof of Township Planning/Zoning Approval (signed Resolution) when available.
10. The Applicant shall provide proof of title showing that it is the owner of the property.

11. Revise Engineer's report to indicate if the proposed Clubhouse will contain a pool.
12. Provide a list of outside agency permits required for this project including Township Road Opening Permits. It appears that the work under this application will require an NJDEP Treatment Works Approval.
13. This Preliminary Review Report also contains technical review comments.
14. Revise drawings as follows:
 - a. Indicate location and elevation of benchmark (NAVD).
 - b. Indicate water and sewer application numbers on all drawing sheets.
 - c. Provide profiles of all proposed sanitary sewers and show all utility crossings in profile including services.
 - d. Indicate a minimum of eighteen-inch (18") clearance between water and sanitary sewer lines and twelve-inch (12") clearance between sanitary sewer and storm sewer lines at all crossings or provide encasements.
 - e. Maintain sewer in Marlboro and enter the site through the main driveway entrance.
 - f. Provide ten foot (10') horizontal separation between proposed sewer and water lines.
 - g. Sewer building laterals shall connect into sewer main, not manholes.
 - h. Indicate six-inch (6") sewer lateral as schedule 40 PVC.
 - i. Show sewer construction details in accordance with Authority's Standard Details and on a separate drawing sheet from other details.
 - j. Add a note that states, "The Contractor must comply with all State and Federal Confined Space Rules".
 - k. Add a note that states, "The existing manhole shall be core drilled".
 - l. Add a note that states, "There shall be no prohibited wastes discharged into the sanitary sewer system including discharge from any HVAC system".

15. Additional technical design review of the drawings will be performed after receipt of a complete Tentative Sewer Application submittal.
16. Submission deadlines for a Tentative Sewer Application package are as follows:
 - A. June 29, 2022
 - B. July 27, 2022
 - C. August 31, 2022
17. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
18. 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 June 10, 2022, 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 Preliminary Sewer Approval shall expire one (1) year from the date of the resolution or as otherwise extended by law. Submission of a Tentative application shall extend this approval.

Mr. Roy recommended Preliminary Sewer Approval for The Vista at Old Bridge/Vista at Old Bridge LP, Application No. S22-554 subject to the four Conditions in his report.

Attorney Jacobs said a motion is needed to approve Sewer Application S22-554 for Preliminary Approval for The Vista at Old Bridge subject to the four conditions in Mr. Roy's June 10, 2022, Report.

A motion was made by Mr. Murphy and seconded by Mr. Walker.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Galante, Walker

Nays: None

Absent: Razzoli

5 Ayes 0 Nays 1 Absent

OTHER ENGINEERING REPORTS

3. Cedar Ridge Force Main Replacement - Award Contract

Mr. Roy said that this is for a contract award that has been designed by Alaimo Associates and put out to bid. He said that it is for the replacement of the Cedar Ridge Force Main on Morganville Road. Mr. Roy said that when the Cedar Ridge Development was built, there was no Yardley Manor development. He said that they had to build almost two miles of force main down Morganville Road into Marlboro and then along Ticetown Road and back into Old Bridge.

He said that Charlie Winkler is having some maintenance issues with several breaks of this force main. He said that it is an old pipe, and it needs to be replaced. Mr. Roy said that the current location has two miles of force main that we can connect to the Yardley Manor force main on Morganville Road rather than going out of town.

Mr. Roy said that we took bids, and the estimate was about \$350,000, and the low bid came in at \$332,750 within the engineer's estimate. He said that the low bidder is Underground Utilities Corporation. He said that we just worked with them on the Phillips Drive project, and found they were a good contractor. Mr. Roy said that the recommendation from Alaimo Associates is to award the contract to Underground Utilities Corporation for their bid price. This has been reviewed by Attorney Cleary's office.

Attorney Jacobs said that a motion is needed for a resolution awarding the contract for the Cedar Ridge Force Main Relocation to Underground Utilities Corporation in the amount of \$332,750.00.

The motion was made by Dr. Greenberg and seconded by Mr. Murphy.

Chairman Walker asked if there was any discussion?

Mr. Weber said that the Cedar Ridge development was built in 1992.

Mr. Roy said yes 1993.

Mr. Roy said that there is a lot of residents using that force main pipe, and the sewer gases corroded the pipe since it is not a normal length force main. He said that since the sewage is inside the pipe so long, these sewer gases are attacking this pipe, and it is corroded quite a bit. Charlie has had to do a number of repairs.

Mr. Roy said it is thirty years old, and time to retire it.

There was no more discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Galante, Walker

Nays: None

Absent: Razzoli

5 Ayes 0 Nays 1 Absent

4. Cottrell Road Water Main Relocation – Engineering Design Services

Mr. Roy said that as Guy Donatelli discussed in his report, we are unfortunately faced with a million dollar plus job, because the County needs to do stormwater improvements and our existing 12" water main conflicts with the proposed stormwater culverts. We must offset the water main in at least three locations, and because of the size of these culverts, we will have to go down 15 feet deep. It needs to be put out for public bid, because of the cost, and we also want to get it financed through the low interest loans.

Mr. Murphy asked if the County was paying for any of this work?

Mr. Roy said no, they are not. He said that the County requires us to move water mains when they would do drainage work, they even require the Authority to pay for moving a fire hydrant.

Mr. Roy said that there is one culvert on Cottrell Road that is falling apart near power line right-of-way. They could have just fixed that one culvert,

but instead they are spending \$5,000,000 to replace three culverts, install new storm drainage pipes, catch basins, sidewalk, and curb. He said that Cottrell Road was just paved last year, and now they are going to repave it again.

Dr. Greenberg said that what was just said should be exposed on how the County wastes money. She said that all the culverts are not a problem, so why would they need to fix everything when it is only one area?

Mr. Murphy asked why the County is not just fixing the one culvert?

Mr. Donatelli said yes, that is what they should be doing.

Dr. Greenberg said that she thinks that the County needs to be exposed. This is taxpayer money. She said a private business would be out of business doing this.

Mr. Donatelli said that he would suggest suing them, but we already did.

Mr. Roy said that Alaimo Associates submitted a proposal dated June 13, 2022, for Engineering Services for the Design of the relocation of 2,250 feet of 12" water main on Cottrell Road, and preparation of Plans, Specifications and Contract Documents for public bid. The proposal also includes the work required to submit the project to the NJ I-Bank for financing. The Preliminary Design cost estimate is approximately \$1,200,000.

The need for the design work is to allow Middlesex County to install storm drainage improvements on Cottrell Road between Spring Hill Road and the JCP&L high voltage power lines. The County scope of work includes installing three (3) large storm drainage culverts, other storm drainage piping, catch basins, curb, sidewalk, and paving. The existing 12' cast iron water main conflicts with the proposed drainage improvements in six (6) locations.

The proposal from Alaimo Associates estimates the engineering fees of \$67,000 to perform this Final Design work. The dollar amount of these estimated fees appears to be reasonable. The fees are based upon an estimate of the number of hours required for the level of effort anticipated for each of the engineering tasks shown in their "Man Hours" table, all in accordance with their Consulting Engineering Agreement dated February 18, 2022.

Mr. Roy recommended that Alaimo Associates be authorized to proceed with the Engineering Services of the referenced project in accordance with their June 13, 2022, proposal and their February 18, 2022, Consulting Engineering Contract.

A motion was made by Dr. Greenberg and seconded by Mr. Murphy.

Dr. Greenberg said that she will move it but thinks that we must take a stance.

Mr. Weber said that if there was a pre-bid meeting, would we have still moved the water main?

Mr. Donatelli said by Court Order we are responsible for conflicts, and must move our utilities, but if we knew earlier, we could have had it designed and gone out to bid. We would have had the water main out of the way, and they could have come in behind us a year or so later. He said that is how it normally goes. We went through this with the job on Rt. 516. We had pre-meetings with the County, it got designed put into their bid, and we sent them a check.

Dr. Greenberg said that more money is being wasted. She said to add onto the \$5 million, the \$1.5 million to move the water main.

Dr. Greenberg asked if there was a communication to the Township from the County? She said that the County would have had to have met with them.

Mr. Roy said that there was a virtual pre-construction meeting with Nicole, and that was the first time that we found out that they awarded this job. He said that he expected this meeting to be a pre-bid meeting, so that we could have planned our work before the County went out to bid.

Dr. Greenberg asked what was Nicole and Fred's response?

Mr. Roy said Nicole and Fred expected the County to go along with our suggestion that the County's Contractor do the water main relocation as a part of their work as a change order, but we it was presented to the County, the County's response was a hard no.

Mr. Roy said that Nicole was surprised with the County's response. She thought that the County was going to go along with the change order suggestion. He said that now we must put out a separate bid.

Dr. Greenberg said that usually if there is a problem in town, people call me. I have not gotten any calls about that culvert being damaged, never.

Mr. Donatelli said that when there are heavy rains, it floods the road in

that area. He said, however, as Mr. Roy said, the County could just pinpoint the repair on this one culvert. There is a big farm up the road that someday others can pay for repairs to the storm drainage instead of taxpayers. He said that he is not sure how the people on Cottrell Road feel about this project.

Mr. Roy said that the pavement is collapsing in one spot, and they are calling that an emergency, however, the County can declare an emergency in the same way that we can and go in there and fix it as an emergency.

Mr. Donatelli said that they created an emergency by not ensuring that the water main was moved before the project was awarded; we do not have an emergency. Mr. Donatelli said that they must wait for us to do our part of the job.

Mr. Donatelli said that this is going to be \$60,000 to \$70,000 for twenty years in debt service. We sued them many years back because of the unfairness of the cost to move water mains. He said that the County can spread it over many taxpayers Countywide, not just the Authority ratepayers.

There was no further discussion.

The roll call vote as follows:

Ayes: Greenberg, Murphy, Galante, Walker

Nays: Weber

Absent: Razzoli

4 Ayes 1 Nay 1 Absent

Dr. Greenberg asked what will happen if we all vote no?

Mr. Donatelli said the County will take us to Court at some point, and the Judge will ask why the Authority is not doing what we need to do.

Mr. Roy said that according to a case that the Authority lost in court, it is our obligation that we must move our water system in County roads.

Dr. Greenberg asked if we are voting yes because it is the law, and so that we don't get sued? Dr. Greenberg said that she is not in favor of this

project, and she wants that recorded in the Minutes.

Mr. Donatelli suggested that she make a speech at the Council where people will hear her. He said that he does not believe that the residents in that area were ever brought into this conversation. He said that, surprisingly, nobody came to the town to talk about this project. He believes that is because they were never notified about this project.

Dr. Greenberg asked if the residents know about this project?

Mr. Donatelli said that either the County procured additional right-of-way or had enough right of way from the center of the road.

Dr. Greenberg said that this is very frustrating. She said that this is insane.

Mr. Donatelli asked if she wanted to be a recorded NO vote?

Mr. Donatelli asked if Dr. Greenberg can reconsider her vote since she is addressing this issue with the Council?

Dr. Greenberg said that she moved and voted YES because she believes in our Engineer.

Mr. Donatelli said that this has to do with a bogus project.

Attorney Jacobs said that a YES vote is to do the work because we are required to do it. He said that you can place on the record what your concerns are about it.

Dr. Greenberg said that when she votes, it is in the best interest of the OBMUA, so she always takes that into consideration.

Mr. Murphy said that the Township should come to us in the future with anything like this.

Mr. Roy said that Nicole probably knew about this project only because of traffic issues.

Dr. Greenberg said that the County came to a Council Meeting and said that the drainage work on Rt. 516 would be done within three weeks.

Mr. Roy said that the County is going to have to extend that contract at least nine months to a year because of utility conflict delays.

He said the County's Contractor is going to make a single lane westbound only and will shut down Rt. 516 in the eastbound direction and redirect that eastbound traffic through a detour for three weeks.

Dr. Greenberg said that she does want to reconsider her vote on this project to a NO, since she will be calling the County to express her feelings.

Chairman Walker asked for a motion to redo the vote.

A motion for a resolution for the Cottrell Road Water Main Relocation - Engineering Design Services was made by Mr. Galante and seconded by Mr. Casserly.

Dr. Greenberg said that she is not in favor of this project, and wants it put on the record.

The roll call vote was as follows:

Ayes: Weber, Galante, Walker

Nays: None

Abstain: Greenberg, Murphy

Absent: Razzoli

3 Ayes 0 Nays 2 Abstentions 1 Absent

Financial Report: Michelle Smith, Comptroller

A Resolution Adding a Provider to the Deferred Compensation Plan for Old Bridge Municipal Utilities Authority to be Administered by Nationwide Retirement Solutions, Inc.

Mrs. Smith said that some of the employees expressed interest in having another deferred compensation plan to choose from. So, she requested information from plans that are currently in good standing with the Division of Local Government Services and received four proposals.

After reviewing all the proposals, she recommended Nationwide

Retirement Solutions, Inc. because of the cost, financial stability, experience in the marketplace and for the number and type of available investment options.

To offer this plan to the employees, Mrs. Smith said that we must do a resolution, and then send it to the State for approval. Once the State signs off on it, we can then offer the plan to the employees. Mrs. Smith said that adding this plan as an option will not cost the Authority any money. She attached Nationwide Retirement Solutions, Inc.'s proposal and a suggested resolution to her report.

Mr. Donatelli said that we currently have tax deferred savings program through VALIC. This is just another tax deferred savings program to give the employees as another option, and at no cost to us.

A motion for a resolution adding a provider to the Deferred Compensation Plan for the OBMUA to be administered by Nationwide Retirement Solutions, Inc. was made by Dr. Greenberg and seconded by Mr. Casserly.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Galante, Walker

Nays: None

Absent: Razzoli

5 Ayes 0 Nays 1 Absent

A motion to accept the Financial Report was made by Dr. Greenberg and seconded by Chairman Walker.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Galante, Walker

Nays: None

Absent: Razzoli

5 Ayes 0 Nays 1 Absent

Bills &
Claims:

Dr. Greenberg said the Bills and Claims are for a total of \$1,770,416.23.

A motion to approve the Bills and Claims was made by Mr. Murphy and seconded by Mr. Weber.

There was no discussion on the Bills and Claims.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Weber, Galante, Walker

Nays: None

Absent: Razzoli

5 Ayes 0 Nays 1 Absent

Legal Report:

Attorney Jacobs said that he does not have a Legal Report:

Old Business:

Chairman Walker asked if there was any Old Business?

There was none.

New Business:

Chairman Walker asked if there was any New Business?

There was none.

Open to Public:

Chairman Walker opened the meeting to the public.

Chairman Walker said that it is limited to a maximum period of three minutes per person.

Chairman Walker said that seeing no hands, he closed the public portion.

Executive
Session:

Chairman Walker said that there is no Executive Session tonight.

Adjournment: Chairman Walker called for a motion to adjourn the meeting.

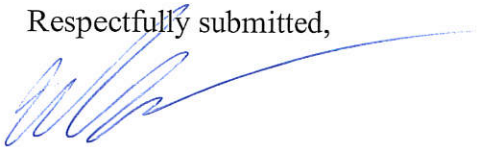
Dr. Greenberg made a motion to adjourn the meeting. It was seconded by Chairman Walker.

All the Commissioners that were in attendance were in favor.

There were no nays.

The meeting was adjourned at 7:41 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'MR', with a long horizontal flourish extending to the right.

Mark Razzoli, Secretary