

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
September 21, 2022

Call to Order: The Regular Meeting of September 21, 2022, was called to order at 7:00 p.m. by Vice Chairman Weber with the Pledge of Allegiance.

Announcement: Vice Chairman Weber announced that this meeting is being held 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.

This Public Meeting is being recorded.

Roll Call:

Present:

Frank Weber, Vice Chairman

Anita Greenberg, Treasurer

Mark Razzoli, Secretary

John E. Murphy III, Commissioner (Arrived at 7:10 p.m.)

Thomas Galante, First Alternate Commissioner

Edward Casserly, Second Alternate Commissioner

Absent:

Bruce Walker, Chairman

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 we had almost 3 million gallons a day more of water sold for the month of July than last year. He said that the bills are going to be interesting this year.

Mr. Donatelli said that he has one item needing a resolution.

Mr. Donatelli said that we need to advertise a service contract for public bids to perform well maintenance work on two of our wells. The capacity of Wells No. 6 and 11 have both dropped off considerably since they were worked on a few years ago. Normally, when we do any well maintenance,

they will continue to perform for many years before we must disassemble them for repairs and redevelopment work. These wells will have to be worked on this winter, before their time, due to the lack of capacity from them.

Mr. Donatelli said that we will prepare the contract documents in-house and submit them to Attorney Cleary for review and approval. He said that the bid opening date will be scheduled within a few months for presentation to the Commissioners to award this service contract at a future Board meeting.

Mr. Donatelli said that in Executive Session we will discuss an appraisal from Gagliano & Company for a proposed property purchase to be considered for the Authority's future use.

Mr. Donatelli said that Old Bridge Day is Saturday, September 24, 2022. He said that the Commissioners have received shirts and parking passes at our garage lot.

Mr. Donatelli asked if the Commissioners had any questions. There were no questions.

Attorney Jacobs said that a resolution is needed to advertise for a service contract for public bids to perform well maintenance work to Redevelop Wells No. 6 and 11. A motion was made by Mr. Galante and seconded by Dr. Greenberg.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Galante, Casserly, Weber

Nays: None

Absent: Murphy, Walker

5 Ayes 0 Nays 2 Absent

Mr. Weber asked if anyone had any questions on Mr. Donatelli's Executive Director's Report?

There were none.

A motion to accept Mr. Donatelli's Executive Director's Report was made by Mr. Weber and seconded by Dr. Greenberg.

There was no discussion.

The voice vote was as follows:

All Commissioners in attendance were in favor.

No Commissioners were opposed to the motion.

5 Ayes 0 Nays 2 Absent

Chairman's Report:

Mr. Weber said that he does not have anything to report.

Dr. Greenberg said that Bruce Walker is hoping to come home from the hospital on Monday.

Previous Minutes:

Regular Meeting Minutes of June 15, 2022

A motion to approve the Regular Meeting Minutes of June 15, 2022, was made by Mr. Razzoli and seconded by Dr. Greenberg.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Galante, Casserly, Weber

Nays: None

Absent: Murphy, Walker

5 Ayes 0 Nays 2 Absent

Mr. Murphy arrived at 7:10 p.m.

Superintendent's
Report:

Charles Winkler, Superintendent, Sewer Division

Mr. Winkler said that he submitted his report and would be happy to answer any questions.

Dr. Greenberg said that she sees that there has been a lot of odor complaints this month.

Mr. Winkler said that it usually happens in the Summer because of the heat.

Mr. Winkler said that we were working on Miller Avenue. He said that the Water Division and the Sewer Division worked together and were able to take care of the problem. He said that it was a big help having both the Divisions working together and learning from each other.

Mr. Donatelli said that there has been good cooperation between the Divisions. The Sewer Division was also helpful during a Water Division project by the use of their equipment.

A motion to approve Mr. Winkler's Superintendent's Report was made by Mr. Galante and seconded by Dr. Greenberg.

The voice vote was as follows:

All Commissioners in attendance were in favor.

No Commissioners were opposed to the motion.

5 Ayes 0 Nays 1 Absent

Engineering Reports: Michael Roy, P.E.

DEVELOPER'S APPLICATIONS FOR APPROVAL

Hanley Orchards at Old Bridge f/k/a Fountains at Old Bridge/Orchards at Old Bridge, LLC

W20-693, Preliminary and Tentative Approvals – 58+ 3 Fire + 5 Irrigation + 1 Clubhouse = 67 EDCU's (1 EDCU Existing, 66 Additional EDCUs)

TYPE: ATTACHED RESIDENTIAL

USE: DOMESTIC, FIRE PROTECTION AND IRRIGATION

BLOCK/LOT: 10253/9.11 (6.46 Acres)

LOCATION: Between Route 34 and Spring Hill Road, South of the Glow Express Car Wash and Across Route 34 from the Cheesquake Fire Company.

DESCRIPTION: Construction of approximately 1,200 LF six-inch (6") and eight-inch (8") DIP connecting into the existing water main in Old Mill Road to provide water service for three (3) new on-site fire hydrants, an irrigation system, and 19 one-bedroom and 39 two-bedroom age restricted luxury apartment units, along with a 2,000 SF Clubhouse.

COMMENTS:

1. Hanley Orchards at Old Bridge, formerly known as Fountains at Old Bridge, was given Tentative Water Approval on January 20, 2021, which has since expired. The former applicant, Fountains at Old Bridge, LLC has transferred ownership of the property to the new applicant Orchards at Old Bridge LLC. The new applicant has applied for Final Water Approval for the development but will first require reinstatement of the expired Preliminary and Tentative Water Approvals.
2. Preliminary and Tentative Review fees have been paid.
3. Township Final Zoning Board Approval was granted on October 7, 2021.
4. The final design of the lawn irrigation system is required to verify the number of Equivalent Domestic Consumer Units (EDCU's).
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. The Applicant has indicated that all proposed water mains and the three (3) new fire hydrants will remain privately owned and maintained by the Applicant.
7. Provide required fire flow demand in gallons per minute (gpm) and pressure (psi) for the proposed building's fire suppression system.
8. Provide the number of sprinkler heads once the proposed building fire suppression system is designed.

9. Each building's 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.

10. Drawings to be revised as per marked-up drawing set and as follows:

- a. Show the water main offset under the sanitary lateral for the building on the southside of the property as shown on the marked-up drawing set.
- b. Add hydrant at the high point at station 4+50.
- c. Show the existing water services for the properties along Old Mill Road.
- d. Add a label to the existing water service for Block 10253 Lot 9.11 which state that it shall be abandoned at the main.

11. Submission deadlines for a Final Water Application package are as follows:

- A. September 28, 2022
- B. October 26, 2022
- C. November 20, 2022

12. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.

13. Recommend Preliminary and Tentative 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 September 16, 2022, shall be addressed with the Final Water Application.
3. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
4. This Preliminary and Tentative Water Approval shall expire one (1) year

from the date of the resolution or as otherwise extended by law.
Submission of a Final application shall extend this approval.

Attorney Jacobs said that a motion is needed for a resolution for Preliminary and Tentative Water Approval for Application W20-693 subject to the four conditions in Mr. Roy's report.

A motion was made by Mr. Razzoli and seconded by Mr. Weber.

There was no discussion.

The roll call vote was as follows:

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

Hanley Orchards at Old Bridge f/k/a Fountains at Old Bridge/Orchards at Old Bridge, LLC

S20-545, Preliminary and Tentative Approvals – 58 + 1 Clubhouse = 59 EDCU's (1 EDCU Existing, 58 Additional EDCUs)

TYPE: ATTACHED RESIDENTIAL

DRAINAGE BASIN: PRICKETTS BROOK

BLOCK/LOT: 10253/9.11 (6.46 Acres)

LOCATION: Between Route 34 and Spring Hill Road, South of Glow Express Car Wash and Across Route 34 from the Cheesequake Fire Company.

DESCRIPTION: Construction of approximately 980 LF of eight-inch (8") PVC sewer main connecting into an existing manhole on Old Mill Road to provide sewer service to 19 one-bedroom and 39 two-bedroom age-restricted luxury apartment units, and a 2,000 SF Clubhouse.

COMMENTS:

1. Hanley Orchards at Old Bridge, formerly known as Fountains at Old Bridge, was given Tentative Sewer Approval on January 20, 2021, which has since expired. The former applicant, Fountains at Old Bridge, LLC has transferred ownership of the property to the new applicant Orchards at Old Bridge LLC. The new applicant has applied for Final Sewer Approval for the development but will first require reinstatement of the expired Preliminary and Tentative Sewer Approvals.
2. Balance of Tentative Review fees based on the revised cost estimate are due with the Final Sewer Application submittal.
3. Township Final Zoning Board Approval was granted on October 7, 2021.
4. Applicant to provide sanitary sewer service (laterals and cleanouts) for the existing dwellings on Route 34 (Lots 7 & 8) that are currently not Authority sewer customers. These sewer services shall be installed at no cost to the existing property owners.
5. The Applicant has indicated that all proposed off-site eight-inch (8") sanitary sewer mains on Old Mill Road between manholes SMH-S4 to SMH- Ex will be dedicated to the Authority.
6. Applicant has acknowledged that all proposed on-site sewer mains and laterals will remain privately owned and maintained by the Applicant.
7. The existing sewer services for Lots 9.11, 9.16 and 9.18 all run along the shoulder of Old Mill Road and separately discharge into manhole SMH-Ex through one inside manhole drop. The applicant must agree to abandon the existing laterals, remove the inside manhole drop and repair the hole penetration in the manhole once new sewer services for Lots 9.16 and 9.18 are installed and transferred over. The house on Lot 9.11 will be demolished, therefore it will not require a new service.
8. Drawings to be revised as per marked-up drawing set and as follows:
 - a. Add an additional eight-inch (8") sewer main from the sewer run between SMH-S3 and SMH-S4 to provide sewer service to Lots 7 and 8. Laterals and cleanouts will be provided for these lots to connect to the sewer system.
 - b. Show existing sanitary laterals for Lots 9.11, 9.16 and 9.18 and

add note for them to be abandoned once the new services are installed which reads, "Sanitary laterals and cleanouts for Lots 9.11, 9.16 and 9.18 shall be abandoned as per the direction of the OBMUA. The two (2) new services for Lots 9.16 and 9.18 shall be transferred over once a permit to operate the newly installed sewer main has been issued by the Authority."

- c. Add flow arrows to the sewer main.
 - d. Add house numbers to the dwellings on Old Mill Road (Lots 9.16 & 9.18) and Rt. 34 (Lots 7 & 8).
9. Submission deadlines for a Final Sewer Application package are as follows:
- A. September 28, 2022
 - B. October 26, 2022
 - C. November 20, 2022
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 and Tentative 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 September 16, 2022, shall be addressed with the Final Sewer Application.
3. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
4. This Preliminary and Tentative Sewer Approval shall expire one (1) year from the date of the resolution or as otherwise extended by law. Submission of a Final application shall extend this approval.

Attorney Jacobs said that a resolution is needed for Preliminary and Tentative Sewer Approval for Application S20-545, subject to the four conditions in Mr. Roy's report.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

**Old Bridge Pointe/2G Poor Farm Road, LLC
W22-703, Tentative Water Approval – 35 EDCU's**

TYPE: RESIDENTIAL

USE: DOMESTIC

BLOCK/LOT: 5000/20 (8.1 Acres)

LOCATION: Located on Poor Farm Rd across from Avery Drive,
between Brewster Circle and Cheesequake Road.

DESCRIPTION: Construction of approximately 700 LF of eight-inch (8")
DIP to service the proposed 17 duplexes and 1 detached single-family
home.

COMMENTS:

1. Tentative Review fees have been paid.
2. Township Zoning Board Approval was granted on Township of Old Bridge on June 3, 2021.
3. Based on the proposed number of units it was determined that the water distribution system can accommodate the additional demand.
4. There are no existing residential dwellings in the area to be provided with municipal water service.

5. The Applicant has indicated that lawn irrigation is not proposed for this site; therefore, lawn irrigation is not included in this approval. If a lawn irrigation system using municipal water is proposed in the future, the plan must be submitted to the Authority to determine the number of additional Equivalent Domestic Consumer Units.
6. The Applicant has indicated that all proposed water mains and fire hydrants will be dedicated to the Authority.
7. Since the development's internal roads will remain private, the applicant shall prepare a deed of easement for a blanket easement of the entire site giving the Authority access to water and sewer utility infrastructure that will be dedicated to the Authority.
8. Provide quantity estimate in accordance with attached form.
9. The size, material and installation of each unit's water service line are also subject to approval by the Township Plumbing Sub-Code Official.
10. The wet cut drilling operation for connections into the existing water main in Poor Farm Road will be performed by the Authority at a cost in accordance with the Authority's Rate Schedule at the time payment is made.
11. Submit proof of the Fire Official's Approval of hydrant locations.
12. The Applicant shall provide proof of title showing that it is the owner of the property.
13. 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 a NJDEP Safe Drinking Water Permit.
14. Revise drawings as per marked-up drawing set and as follows:
 - a. Revise note #17 on the Utility Plan, sheet 6 of 16, to include PVC C900 as another acceptable material for water main.
15. Submission deadlines for a Final Water Application package are as follows:
 - A. September 28, 2022
 - B. October 26, 2022
 - C. November 30, 2022

16. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
17. Recommend Tentative 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 September 16, 2022, shall be addressed with the Final Water Application.
3. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
4. This Tentative Water Approval shall expire one (1) year from the date of the resolution or as otherwise extended by law. Submission of a Final application shall extend this approval by another year.

Attorney Jacobs said that a motion is needed for a resolution for Old Bridge Pointe/2G Poor Farm Road, LLC for Tentative Water Approval – W22-703 – 35 EDCU’s subject to the conditions in Mr. Roy’s Report.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

**Old Bridge Pointe/2G Poor Farm Road, LLC
S22-553, Tentative Sewer Approval - 35 EDCU's**

TYPE: RESIDENTIAL

DRAINAGE BASIN: Pricketts Brook

BLOCK/LOT: 5000/20 (8.1 Acres)

LOCATION: Located on Poor Farm Rd across from Avery Drive,
between Brewster Circle and Cheesequake Road.

DESCRIPTION: Construction of approximately 880 LF of eight-inch (8")
PVC to service the proposed 17 duplexes and 1 detached single-family
home.

COMMENTS:

1. Tentative Review fees have been paid.
2. Township Zoning Board Approval was granted on Township of Old Bridge on July 15, 2021.
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 Poor Farm Road did not require a capacity study.
4. There are no existing residential dwellings in the area to be provided with municipal sewer service.
5. The Applicant has indicated that all proposed sanitary sewer mains will be dedicated to the Authority.
6. Since the development's internal roads will remain private, the applicant shall prepare a deed of easement for a blanket easement of the entire site giving the Authority access to water and sewer utility infrastructure that will be dedicated to the Authority.
7. The size, slope and installation of each unit's sewer lateral are subject to approval by the Township Plumbing Sub-Code Official.
8. The Applicant shall provide proof of title showing that it is the owner of the property.

9. Applicant to submit NJDEP Treatment Works Application package for processing by our office that includes the plan revisions noted herein.
10. Revise drawings as per marked-up drawing set and as follows:
 - a. Move the cleanout for Lot 20.30 on the other side of catch basin CB-3 'B' to be in front of the dwelling it is servicing.
11. Submission deadlines for a Final Sewer Application package are as follows:
 - A. September 28, 2022
 - B. October 26, 2022
 - C. November 30, 2022
12. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
13. Recommend Tentative 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 September 16, 2022, shall be addressed with the Final 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 or as otherwise extended by law. Submission of a Final application shall extend this approval.

Attorney Jacobs said that a motion is needed for a resolution for Old Bridge Pointe/2G Poor Farm Road, LLC – S22-553, Tentative Sewer Approval for 35 EDCU's subject to the four conditions in Mr. Roy's Report.

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

There was no discussion.

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

OTHER ENGINEERING REPORTS

Extension of Annual Contracts for 1 Year A. Electrical Services, Contract No. WS21-218

Mr. Roy reported that on October 20, 2021, the Authority awarded the referenced contract to John J. Faccas, Inc. T/A Quality Electrical Construction Company with the attached Resolution No. M-59-21, which will expire on October 31, 2022. This contract has never been extended.

The Contract Documents allow for up to two additional one-year contract extensions upon mutual agreement of both parties using the NJDCA “Index Rate” for any price adjustments in accordance with the Public Contracts Law. Quality Electric has agreed to a one-year contract extension of this contract.

Quality Electric has performed their work in an effective and efficient manner. Therefore, Mr. Rot recommended a one-year contract extension, with a price adjustment based on the recently published State “Index Rate” of ten-point-five percent (10.5%), to John J. Faccas, Inc. T/A Quality Electric Construction Company of Holmdel, NJ.

All other contract provisions shall be in accordance with the same terms and conditions of the original contract. This one-year contract extension will expire on October 31, 2023, at which time we can consider the second one-year contract extension.

Mr. Roy said that the increase seems like a lot; we may not do any better if we again go out to bid, maybe even worse.

Mr. Roy said that he is recommending the extension of the Electrical Services, Contract No. WS21-218 to Quality Electric Construction Company for one year, and that contract will expire October 31, 2023.

Dr. Greenberg asked if we have used them in the past.

Mr. Roy said that Quality Electric Company has been our electrical service contract vendor for many years.

Mr. Donatelli said they usually win the bid.

Attorney Jacobs said that a motion is needed for a resolution for the Extension of Annual Contract for 1 Year for Electrical Services, Contract No. WS21-218.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

**Extension of Annual Contract for 1 Year
B. Laboratory Testing of Drinking Water, Contract No.
W21-219**

Mr. Roy reported that on October 20, 2021, the Authority awarded the referenced Contract to Garden State Laboratories, Inc. with the attached Resolution No. M-60-21, which will expire on October 31, 2022. This contract has never been extended.

The Contract Documents allow for up to two additional one-year contract extensions upon mutual agreement of both parties using the NJDCA "Index Rate" for any price adjustments in accordance with the Public Contracts Law. Garden State Laboratories, Inc. has agreed to a one-year contract extension of this contract.

Garden State Laboratories has performed their work in an effective and efficient manner. Therefore, Mr. Roy recommended a one-year contract extension, with a price adjustment based on the recently published State

“Index Rate” of ten-point-five percent (10.5%), to Garden State Laboratories, Inc. of Hillside, NJ.

All other contract provisions shall be in accordance with the same terms and conditions of the original contract. This one-year contract extension will expire on October 31, 2023, at which time we can consider the second one-year contract extension.

Mr. Roy said that this is the same situation, cost wise, as the Electrical Services Contract.

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

There was no discussion.

The roll call vote was as follows:

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

Regency Centers – Phase 1, Water and Sewer Developer Agreements, Water Application No. W21-697, Sewer Application No. S21-548

Mr. Roy reported that the Water and Sewer Developer Agreements for the referenced applications have been prepared and signed in accordance with the Final Water and Sewer Approvals granted on August 17, 2022, including the payment of water connection fees per building at the time of the issuance of each building’s water meter.

The Developer Agreements consist of the standard language, and the conditions of the Final Water and Sewer Approvals to construct approximately 7,170 LF of eight-inch (8”) DIP water main connecting into the existing water main on Schulmeister Road, as well as approximately 4,070 LF of eight-inch (8”) PVC gravity sewer connecting into the existing sanitary sewer on Schulmeister Road to service 360,100 SF of retail, restaurant, fast-food, office, gas station, and medical office commercial buildings.

This project is Phase 1 of the commercial portion of the Oaks at Glenwood Development and consists of twelve (12) buildings on the south side of Schulmeister Road, and west of Rt. 9.

The agreements have been signed by the Developer and are ready to be considered for authorization to be countersigned by the Authority.

Attorney Jacobs said to approve two separate resolutions for water and sewer developer agreements.

A motion to approve Regency Centers – Phase 1, Water Developer Agreement was made by Mr. Razzoli and seconded by Mr. Galante.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

A motion to approve Regency Centers – Phase 1 – Sewer Developer Agreement was made by Mr. Galante and seconded by Mr. Razzoli.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

Water System Computer Based Modeling Engineering Services to CME Associates

Mr. Roy reported that there is a need for Engineering Services from CME Associates for water system computer-based modeling simulations to determine if the Authority's Water Distribution System can be made more efficient, by either adding more water main in strategic areas, or more pump capacity in our Booster Stations.

The need for this work became apparent to us due to the heavy water demands that were placed upon the Authority's Water Distribution System this Summer. CME Associates has the Authority's Water Distribution System modeled on a computer program that is located on a server at their office. The water system modeling engineering costs in the attached CME proposal is in the amount of \$34,214.00.

Mr. Roy recommended that CME Associates be authorized to proceed with the computer-Based Water System Modeling in accordance with their September 13, 2022, proposal and their February 1, 2022, Consulting Engineering Contract.

A motion to authorize CME Associates to proceed with the computer-Based Water System Modeling in accordance with their September 13, 2022, proposal and their February 1, 2022, Consulting Engineering Contract was made by Mr. Galante and seconded by Dr. Greenberg.

Mr. Weber asked if we should we wait to see what the additional development will be a few years out? Is it worthwhile doing it?

Mr. Donatelli said that with this study, it is not essential for future development, it is for the existing system that we saw under a lot of strain getting water distributed throughout the town this Summer. He said that there are some hydraulic issues, and this study will highlight where the problem exists. He said that we may be able to do some small surgical type of water main paralleling to help alleviate some of the problem.

There was no further discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

A motion to approve Mr. Roy's Engineering Reports was made by Dr.

Greenberg and seconded by Mr. Galante.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

Financial Report: Michelle Smith, Comptroller

Mrs. Smith said that the first item on her report is a statement that our Annual Financial Report is in the final review stages by our Auditors; and will be submitted to the State by the September 30 due date and will be presented at next month's Board Meeting.

Mrs. Smith said that her next item is a report on the Revenue Schedule through August 31st which is for 3 months. Revenue is projecting to come in under budget by 2.5% in the Water Division, and by 3.3% in the Sewer Division. However, she expects the water rents to increase significantly over the next few months as the summer usage gets billed.

Mrs. Smith said that her last item is a resolution to renew our Sewer Division SCADA Maintenance and Software Support Agreement with Schneider Electric. We haven't renewed this support contract since 2017 because we haven't needed their support until now. Now, our software needs to be updated, so it can work properly. So, in order to get this software update, they are requiring us to pay \$5,401.58 for a one-year renewal fee plus an additional \$16,204.74 reinstatement fee which represents the last 3 years of renewal fees. That brings the total amount due to \$21,606.32. This contract is exempt from public bidding under the Local Public Contracts Law because it is for the support of proprietary software. Just a resolution is needed.

Mr. Casserly said that they are basically charging you for the three years that you didn't use it.

Dr. Greenberg asked how they can demand this charge, especially in this economic climate? It is crazy and shocking. Their business model is that they have no conscience.

After comments expressed by the Commissioners. Mr. Donatelli said that

we should pay this, and then see what our attorneys can do, but we need to get this approved.

A motion to adopt a resolution for the SCADA Support Renewal Agreement with Schneider Electric was made by Mr. Galante and seconded by Dr. Greenberg.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

A motion to accept Mrs. Smith's Financial Report was made by Mr. Weber and seconded by Mr. Murphy.

The voice vote was as follows:

All Commissioners in attendance were in favor.

No Commissioners were opposed

5 Ayes 0 Nays 1 Absent

Bill & Claims:

Dr. Greenberg said that the Bills and Claims are for a total of \$2,299,477.38.

A motion to approve the Bills and Claims in the amount of \$2,299,477.38 was made by Mr. Murphy and seconded by Mr. Galante.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Galante, Weber

Nays: None

Absent: Walker

5 Ayes 0 Nays 1 Absent

Legal Report:

Attorney Jacobs said that we need to have a discussion of Retirement Health Benefits. He said that at the last meeting, Michelle Smith found a company that cut the cost of certain prescription drugs, so we could bring the cost of medical insurance down for the Authority. Attorney Jacobs said that aside from salaries and MWC purchase of water, medical expenses are the biggest expenses that the Authority has. He said that to balance the budget, the Authority must either increase rates to the ratepayers or cut our expenses.

Attorney Jacobs said that Michelle Smith has started looking at the medical coverage and getting this company that should enable the Authority to experience a big savings in the prescription drug costs. He said that some of the Commissioners began looking at the policy of providing retirement health benefits and finding a way to perhaps reduce the cost to the Authority of the retirement health benefits.

Attorney Jacobs said that the last time this was looked at was in 1999. He said that the cost at that time was minimal. Over the last fifteen years, the cost of health insurance has skyrocketed. He said that for most businesses after paying salaries, health benefits are the next biggest expense. In looking at the cost cutting to benefit the ratepayers, some of the Commissioners have looked at this and came up with a proposed resolution to cut down on those costs.

Attorney Jacobs said it looks at those who have earned the right to have retirement benefits versus those who haven't earned that right. The proposal is for the Authority to assume the entire cost of health benefits and pay all the premiums only for qualified employees of the Authority and their spouse and/or dependents.

Qualified employees shall be defined as any employee who has retired on a disability pension or has retired after twenty-five years or more of employment with the Authority or has retired and reached the age of 62 years with a total accumulated employment with the Authority of a minimum of fifteen years. The term qualified employee under this proposal does not include a Commissioner of the Authority. The term spouse and dependent as used in this proposal includes only the spouse of a qualified employee as of the date of their retirement.

It goes on to state that any employee of the OBMUA who shall decease while employed by the Authority and meets the requirements previously set forth, then the deceased employee's spouse or dependents will also have these extended retirement benefits. Notwithstanding the forgoing, if the deceased employee remarries, then the Authority will have no obligation to continue to pay those retirement health benefits.

All persons qualifying under this proposed policy shall be required, when eligible by age, to make application for any Federal or State Benefits including Medicare A & B with the expressed purpose of reducing the cost of group health plans to the Authority.

Attorney Jacobs said that any Commissioner currently receiving medical benefits shall continue to receive such medical benefits during the time that they serve on the Board; but they are not entitled to retirement health benefits. He said that any new Commissioner who serves from this date forward shall not be entitled to any type of medical benefit during their time as Commissioner.

Attorney Jacobs said that is the proposal of that resolution which is a change in the current policy from 1999. He said that if there is any member of the public who wishes to comment on what the proposed resolution attempts to do, we welcome it.

Attorney Jacobs said that seeing none, he asked if any of the Commissioners want to have a discussion on this?

A motion was made by Mr. Razzoli and seconded by Mr. Weber to adopt this Retirement Health Benefits Resolution.

Attorney Jacobs said to open it up to the Commissioners for comments.

Mr. Murphy asked if this change means that the Commissioners here won't receive benefits for the rest of their lives?

Attorney Jacobs said that they will receive benefits, only while the current Commissioners serve on the Board. He said that once they do not serve, they will not get any benefits.

Mr. Donatelli said that under the current resolution, in order to receive benefits, you must be in the Pension System for 25 years and be retired. He said that also included is if you have 15 years in the Pension System and retire at age 62. He said that we are now modeling the new policy the same as the Township; that you must work at the OBMUA for that number of years and be retired from the Pension System to receive benefits. It will no longer count for service at other places other than the OBMUA.

Mr. Murphy asked what is the big change that Commissioners will not be able to receive after this year?

Mr. Donatelli said that Commissioners will receive benefits only if they continue to serve as a Commissioner. But, if there is a break in service as a Commissioner, and the person comes back as a Commissioner in a

couple of years, the benefits will not be available since any new Commissioner after this policy is approved will not receive benefits.

Mr. Weber asked if the employees have to go on Medicare when they are of age?

Mr. Donatelli said that nothing has changed as far as that goes. He said that the only thing this resolution does is make it so that only MUA employees are entitled to retirement benefits. He said that the employees that work here pay for this, and they have been requesting that we look at this, it is not free to them. Mr. Donatelli said that is what precipitated this issue to be investigated. He said that it has been requested to be investigated for years, and this is the byproduct of it.

Attorney Jacobs said that this proposed resolution will apply to Commissioners, Non-Union employees, and to the Union employees to the extent that they ratify the changes through a side-bar agreement, if approved. This resolution also affords Mr. Donatelli the ability to sign the side-bar agreement with the Union, as authorized by the Commissioners.

Mr. Weber said that he is a licensed insurance agent since 1984. He said that Social Security first started in 1935, since then life expectancy continued to improve with better medicine. It is like a catch 22, but you must do what will hold the costs down.

Dr. Greenberg said that nobody wants to deny anyone health insurance, but the cost of health insurance is outrageous. She said that the employees are carrying the load for people not employed. It is not fair. She said that the cost for everything, even what we voted on tonight, has gone up, and health insurance is absurdly high. The businesses are squeezed with more money for taxes and health benefits. She said that we are going to have an economic collapse. The employees can't afford it anymore.

Mr. Donatelli said that we are self-insured, and there are only 65 people carrying it. He said that they are paying \$15,000 to \$16,000 a year for their plan.

Dr. Greenberg said that everyone is happy to pay that to get a good health plan, but they are the workers. She said for years it was not heading in a good direction; and she feels that it is no malice towards anybody, it is literally non-sustainable.

Mr. Weber said that he read recently that the State is looking into requiring this same thing for local governments as well.

Mr. Razzoli said that before he retired as a Police Officer in Jersey City, we had a Business Administrator with no time working for the City, and he reaped the benefits of the health insurance policy that everyone was

paying ridiculous amounts through Chapter 78 deductions. He said that right now public employees are looking at a 25% increase on their prescription plans. He said that for the Authority to keep it affordable for the employee, this is a great thing for the Authority to do.

Mr. Razzoli also said that the Commissioners are given a \$1,500 stipend; so technically speaking, we are not even listed as part-time. He said that the last time he heard; no part-time employee is entitled to benefits. Mr. Razzoli said that if he were a Union employee, he would have filed a grievance. Mr. Razzoli said that this is the same thing that happened in Jersey City, people coming from different agencies and taking advantage of the loophole. This is not a unique thing.

Dr. Greenberg said that the real absurdity is when you are not an employee here, but you worked somewhere else, and could have gotten health insurance from that entity, and instead you took advantage of a situation from something that was written in 1999; and you were never an employee but feel that after being a Commissioner for five years, you are entitled to health insurance after you worked somewhere else for twenty-five years.

Dr. Greenberg asked, why didn't that person take the health insurance coverage from the other employer? She said that the system is broken on so many levels. Dr. Greenberg said that in good conscience when she sees these costs come in month after month, it is non-sustainable. Something must be done, and it should have been done a long time ago.

Mr. Donatelli said that Cathy Born is here from the Union representing Gary Brown this evening. He said that the Union is not grieving this issue, but they have been questioning it for quite a while.

Dr. Greenberg said that when you are an employer and you are giving someone health benefits, you recognize that they are good employees. You want them there for longevity, consistency, and stabilization in your business. The Commissioners come and go. We have a function and a place, but do not do the day-to-day work to keep the MUA in the best condition. She said that these are hard times, and there are hard decisions to make.

Mr. Weber asked if there was any further discussion?

There was none.

Attorney Jacobs said that a resolution Amending the Qualifications and Requirements for Receiving Retirement Health Benefits which adopts new rules and regulations for retirement health benefits in accordance with the explanation that he gave, and part of the resolution is authorizing Mr. Donatelli to enter into a side-bar agreement with the AOBMUA to effectuate these changes as it applies to cover Union employees.

Mr. Murphy said that he would like to comment on this resolution.

Attorney Jacobs said that the time to comment was earlier in the meeting.

Mr. Murphy said that he believes that the Authority has been in worse economical shape than we are now. He that at one time, we were being sold to the Township. He said that we are only talking about seven people, and he doesn't see how that is going to make any difference in costs to the Authority.

Mr. Donatelli said that we are not just talking about seven people, we are talking about anyone who has worked in the State of New Jersey while in the Pension System and then ends up at the OBMUA in any capacity after five years and then gets the Authority's health benefits.

Attorney Jacobs said that this resolution deals with the future.

Mr. Murphy asked why the new policy prevents a person from using their time from other places?

Mr. Donatelli said that because people can work all over the State and then come here and serve for just five years and receive Authority benefits. He said that is not fair to those employees paying for benefits.

Attorney Jacobs said that it is an old practice happening all over the State of New Jersey and the Authority wants to change it. He said that there already was a motion and a second.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Weber

Nays: Murphy

Abstain: Galante

Absent: Walker

3 Ayes 1 Nay 1 Abstention 1 Absent

Attorney Jacobs said that is all that he has under his Legal Report. He said that he has something to discuss in Executive Session.

A motion to accept Attorney Jacobs' Legal Report was made by Dr. Greenberg and seconded by Mr. Casserly.

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes 0 Nays 1 Absent

Old Business: None

New Business: None

Open to Public: Mr. Weber opened the meeting to the public. He said that it is limited to a maximum period of three minutes per person.

Mrs. Cathy Born said that she is here on behalf of the AOBMUA. She said that Gary Brown is on vacation and asked me to attend in his place as an officer of the Union. She said that the Union employees would like to thank the Commissioners for passing the resolution amending the qualifications and requirements for the retirement health benefits. Mrs. Born said that this has been important to the Union for some time, and we are very grateful to the Commissioners for putting it in writing and passing such an important resolution. She said that we appreciate it and thank you all again.

Mr. Weber asked if there was anyone else wishing to speak?

Seeing no hands, he closed the public portion.

Mr. Murphy said that he wanted to compliment Guy Donatelli, Ray Totten and the operating staff for the job they did pumping over 10.2 mgd and keeping Middlesex Water as low as they could, which was amazing.

Executive Session: Attorney Jacobs said that we are going to go into Executive Session for one matter to discuss contract negotiations for the purchase of a piece of real property. We will be going into Executive Session probably for about ten to fifteen minutes, and will come out, and most likely act on that item. He said that if anyone wants to stay, you are welcome to come back in after closed session.

A motion to go into Executive Session was made by Dr. Greenberg and seconded by Mr. Razzoli.

The voice vote was as follows:

All Commissioners in attendance were in favor.

No Commissioners were opposed.

5 Ayes 0 Nays 1 Absent

The Board went into Executive Session at 7:46 p.m.

Resumption of
Executive Session:

The Board returned to public session at 8:00 p.m.

Attorney Jacobs said that we need a motion for a resolution adopting the appraisal from Gagliano & Company, for a piece of real property on Ticetown Road, and to authorize Mr. Donatelli to begin negotiations to purchase that property.

A motion was made by Mr. Razzoli and seconded by Mr. Weber.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Murphy, Razzoli, Casserly, Weber

Nays: None

Absent: Walker, Galante (Left the meeting during Executive Session to avoid a conflict.)

5 Ayes 0 Nays 2 Absent

Adjournment:

A motion to adjourn the meeting was made by Dr. Greenberg and seconded by Mr. Murphy.

The voice vote was as follows:

All Commissioners that were in attendance were in favor.

No Commissioners were opposed.

5 Ayes 0 Nays 2 Absent

The meeting was adjourned at 8:02 p.m.

Respectfully submitted,



Mark Razzoli
Secretary