

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
FEBRUARY 15, 2023**

Call to Order: The Regular Meeting of February 15, 2023, 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
Anita Greenberg, Treasurer
James Blair, Commissioner
Edward Casserly, Second Alternate Commissioner

Absent:

Frank Weber, Vice Chairman
Mark Razzoli, Secretary
Thomas Galante, First Alternate Commissioner

Also Present:

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

Executive Director's
Report:

Guy Donatelli, Executive Director

Mr. Donatelli said that he does not have a report this evening, other than his usual water reports. He said that if there were any questions, he would be happy to answer them.

Chairman Walker asked if anyone had questions for Mr. Donatelli on his Water Division Report?

Dr. Greenberg said that the total pumping looks even.

Mr. Donatelli said yes.

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

The voice vote was as follows:

All Commissioners in attendance were in favor.

No Commissioners were opposed.

4 Ayes 0 Nays 3 Absent

Chairman's Report: Bruce Walker, Chairman

Mr. Walker said that he does not have a report tonight.

Previous Minutes: None

Superintendent's
Report:

Charles Winkler, Superintendent, Sewer Division

Mr. Winkler said that he submitted his report, and if there were any questions, he would be happy to answer them.

Mr. Winkler said that Mike Roy's report will discuss the purchase of a portable sewer bypass pump that the Sewer Division is looking to purchase. He said that we have an old one that doesn't really suit our purposes. Mr. Winkler said that when we needed one, we used to have to rent one from a pumping service company which is costly. He said that he thinks that this will be a good purchase for the Sewer Division.

Chairman Walker asked if there were any questions on Mr. Winkler's report?

There were none.

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

There was no discussion.

The voice vote was as follows:

All Commissioners in attendance were in favor.

No Commissioners were opposed.

4 Ayes 0 Nays 3 Absent

Engineering Reports: Michael Roy, P.E.

REPORT UPON DEVELOPER'S APPLICATIONS FOR APPROVAL

**The Lutheran Church of the Good Shephard/Good Shepard
Child Care Center – W23-711, Minor Water – 1 EDCU
(Fire)**

TYPE: COMMERCIAL

USE: FIRE PROTECTION

BLOCK/LOT: 14263/1 & 2 (13.401 Acres)

LOCATION: On the south side of Route 516, east of Route 9 and west of Carl Sandburg Middle School.

DESCRIPTION: Construction of a new four-inch (4") fire service line to service the proposed Fire Suppression System for the Good Shepherd Child Care Center.

COMMENTS:

1. The applicant is requesting that their application and escrow fees be deferred at this time. The applicant has applied to the State of New Jersey (currently under review) for a grant to complete this project, which would include the payment of OBMUA fees. They wish to secure approval now so that construction can proceed quickly once they receive the grant.
2. The Applicant must indicate the fire flow and pressure demand of the fire suppression system.
3. The building's water fire 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 the of Building Permit Application.

4. Applicant has acknowledged that all proposed water mains will remain privately owned and maintained by the Applicant.
5. Technical requirements sufficient for Minor Water Approval have been satisfied.
6. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application Form.
7. Recommend Minor Water Approval subject to the following nine (9) conditions:

CONDITIONS:

1. The Applicant shall pay all applicable fees, including the review fees that have been deferred prior to the start of work.
2. The Applicant shall comply with and address any and all comments in this Engineer's Report dated February 10, 2023.
3. All proposed on-site water mains to remain privately owned and maintained by the Applicant.
4. The Applicant to schedule a pre-construction meeting at least two (2) weeks prior to commencing any utility construction.
5. All deferred fees, Wet cut fee, Performance Guarantee, Certificate of Insurance, and proof of all required permits shall be provided prior to the pre-construction meeting.
6. Fire suppression system hydraulic report and the number of sprinkler heads shall be provided to this Authority prior to the pre-construction meeting.
7. The Applicant shall construct the water improvements in accordance with the Approved Drawings, and permits issued by any Agency having jurisdiction.
8. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
9. This Minor Water Approval shall expire one (1) year from the date of the resolution or as otherwise extended by law if no construction has taken place within that period.

Mr. Roy recommends Minor Water Approval for The Lutheran Church of the Good Shepard/Good Shepard Child Care Center, W23-711, Minor Water – 1 EDCU (Fire).

A motion for a resolution approving The Lutheran Church of the Good Shepard/Good Shepard Child Care Center, W23-711, Minor Water – 1 EDCU (Fire) was made by Dr. Greenberg and seconded by Mr. Casserly subject to the Conditions in Mr. Roy's report of February 10, 2023, which includes a deferral of fees.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Walker, Casserly

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

**Vista at Old Bridge/LP/The Vista at Old Bridge – W22-704,
Tentative Water – 73 Apartments, 5 EDCU Clubhouse +
4 Fire = 82 EDCUs**

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 connecting into the existing 16" water main on the unnamed gravel access road and into the existing 12" water 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. The applicant has requested a waiver of the Tentative and Final Water Review Fees in the amount of approximately \$24,000. The applicant has stated that the project property provides affordable housing units to help address the Township's goals for affordable housing and is therefore requesting relief from the review fees.

Mr. Roy said they already have a 50% reduction in their connection fees because they are considered an affordable housing project built by a public housing authority. He said they also want their Tentative and Final Review Fess waived which for the water application is about \$24,000 and for the sewer application it is about \$38,000. Mr. Roy said they stated that the property has affordable housing units to help address the Township's goal for affordable housing, and is, therefore, requesting relief from the review fees. Mr. Roy said that is up to the Commissioners to decide what they want to do with that.

Attorney Jacobs said the request for the waiver is just a request. You are not obligated to do it. He said there is no policy where the Board has traditionally waived fees upon request because of this. Attorney Jacobs said you are not required to waive those fees. He said the 50% reduction is statutory. Attorney Jacobs said when we pass the resolution, the recommendation is to deny the waiver of the review fees, but obviously you will grant the 50% reduction which is set by State Statute.

Mr. Donatelli said that the connection fee discount is almost a \$400,000 savings to them with the 50% reduction.

Mr. Donatelli said that the fees they are asking to waive is money that the Authority pays their staff.

Mr. Roy said that the review fees are established so that the applicant pays their way through the approval process. He said they are paying for the review and inspection of their project.

Mr. Donatelli said that we are not opposed to helping but not to giving way too much.

2. Water Connection Fee is due at a 50% Rate (as per N.J.S.A. 40:14B-21.0) which allows for a 50% reduction in Connection Fee Rates for Affordable Housing Projects built by Public Housing Authorities.
3. The Authority granted Preliminary Approval on June 15, 2022. Township Preliminary and Final Planning Board Approval was

granted on August 6, 2019.

4. 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.
5. Provide peak water demand in gallons per minute (gpm) and a listing of the number of fixture types for each building 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 revised 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 shall provide proof of title showing that it is the owner of the property.
12. Applicant to submit the BWSE Permit Application package for processing by our office that includes the plan revisions noted herein.
13. Drawings to be revised as per the marked-up drawing set.
14. Submission deadlines for a Final Water Application package are as follows:
 - A. February 22, 2023
 - B. March 29, 2023
 - C. April 26, 2023
15. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.

16. Recommend Tentative 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 February 10, 2023, 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.

Mr. Roy recommends Tentative Water Approval for Vista at Old Bridge LP/The Vista at Old Bridge – W22-704, 73 Apartments, 5 EDCU Clubhouse + 4 Fire = 82 EDCU's subject to the four Conditions in his report, and that they should pay all applicable fees except for whatever the Commissioners decide tonight.

Mr. Donatelli said that there was a cost-sharing fee for the Crossroads Sewer Interceptor that was put in for the data center's property. He said that they have been waived for that cost sharing fee as well. He said that we have done quite a bit for this project already.

Dr. Greenberg said that this is a Vista Project. She said it is for Veterans.

Mr. Donatelli said that we have done quite a bit for this project already.

Dr. Greenberg said OK.

Mr. Roy said that Guy brings up a good point about the cost sharing fee. He said that when the Crossroads Interceptor was constructed, anyone who connected into it would be required to pay a cost-sharing fee which we are not going to charge Vista.

Mr. Roy recommends Tentative Approval for Vista at Old Bridge LP/The Vita at Old Bridge, W22-704, subject to the four Conditions in his report.

Attorney Jacobs asked for a motion for a resolution approving W22-704, Tentative Water – 73 Apartments, 5 EDCU Clubhouse + 4 Fire = 82 EDCU's reflecting a denial of the waiver of Tentative and Final Review Fees, and subject to four Conditions set forth in Mike Roy's February 10, 2023 Report.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

**Vista at Old Bridge LP/The Vista at Old Bridge, S22-544,
Tentative Sewer – 73 Apartments, 5 EDCU Clubhouse =
78 EDCU's**

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 1,100 LF of eight-inch (8") off-site sewer main and 400 LF on-site sewer main connecting into the existing 8" 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. The applicant has requested a waiver of the Tentative and Final Sewer Review Fees in the amount of approximately \$38,000. The applicant has stated that the project property provides affordable housing units to

help address the township's goals for affordable housing and is therefore requesting relief from the review fees.

2. Sewer Connection Fee is due at a 50% Rate (as per N.J.S.A. 40:14B-21.0) which allows for a 50% reduction in Connection Fee Rates for Affordable Housing Projects built by Public Housing Authorities.
3. The Authority granted Preliminary Approval on June 15, 2022. Township Preliminary and Final Planning Board Approval was granted on August 6, 2019.
4. Applicant has acknowledged 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.
5. 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.
6. Provide a revised quantity estimate in accordance with the attached form.
7. Applicant to submit NJDEP Treatment Works Approval (TWA) Application package for processing by our office that includes the plan revisions noted herein.
8. The size, slope and installation of the on-site sewer laterals are subject to approval by the Township Plumbing Sub-Code Official.
9. The Applicant shall provide proof of title showing that they are the owner of the property.
10. Drawings to be revised as per the marked-up drawing set.
11. Submission deadlines for a Final Sewer Application package are as follows:
 - D. February 22, 2023
 - E. March 29, 2023
 - F. April 26, 2023
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 February 10, 2023, 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 asked for a motion for a resolution for approval of Vista at Old Bridge LP/The Vista at Old Bridge, S22-554, Tentative Sewer – 73 Apartments, 5 EDCU Clubhouse = 78 EDCU's and the Resolution will reflect a denial of the waiver of the Tentative and Final Sewer Review Fees, and subject to the four Conditions set forth in Mike Roy's February 10, 2003, Engineering Report.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

**Township of Old Bridge, Cottrell Farm Park, Phase 2,
W23-710, Minor Water – 1 Restroom + 18 Splash Park + 2
Irrigation = 21 EDCU's.**

TYPE: RECREATION

USE: DOMESTIC

BLOCK/LOT: 10252.24/18 & 34 (21 Acres)

LOCATION: At the northeast corner of the Route 516/Cottrell Road intersection.

DESCRIPTION: Construction of a three-inch (3") PVC water service connecting into an existing on-site eight-inch (8") main to service a proposed splash park, proposed restroom building and an irrigation system.

COMMENTS:

1. The Township of Old Bridge has requested a waiver of the review, connection, and inspection fees for this Minor Water Application.

Application Fee	\$1,575.00
Escrowed Fees (Review & Inspection Fee)	\$5,000.00
Connection Fees	\$74,718.00
TOTAL	\$81,293.00

2. Applicant has acknowledged that the proposed water service will remain privately owned and maintained by the Applicant.
3. The size, material and installation of the on-site water service lines are also subject to approval by the Township Plumbing Sub-Code Official.
4. This project will require three (3) water meters; one meter for the restroom building which will be both a water and sewer account, one meter for the splash park which will be a water only account since the discharge from the splash park will discharge into onsite surface water detention, and one meter which will also be a water only account for lawn irrigation. The applicant must provide a plumbing schematic of the meter room that will accommodate the installation of all three water meters when available and provide whatever information necessary and requested by the Authority to properly size the water meters.
5. Technical requirements sufficient for Minor Water Approval have been satisfied.
6. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
7. Recommend Minor Water Approval subject to the following nine (9) conditions:

CONDITIONS

1. Applicant shall pay all applicable fees including wet cut fee and water meter fees except for those fees specifically waived by the Authority Board of Commissioners with this approval.
2. The Applicant shall comply with and address all comments in this Engineer's Report dated February 10, 2023.
3. All proposed water services to remain privately owned and maintained by the Applicant.
4. The Applicant shall coordinate the utility plans approved under this application with the architectural design of the buildings as it relates to the water service.
5. Applicant to schedule a pre-construction meeting at least two (2) weeks prior to commencing any utility construction.
6. Performance Guarantee, Certificate of Insurance, Authority fees and proof of all required permits shall be provided prior to the pre-construction meeting.
7. The Applicant shall construct the water improvements in accordance with the Approved Drawings and permits issued by any Agency having jurisdiction.
8. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
9. This Minor Water Approval shall expire one (1) year from the date of the resolution if no construction has taken place within that one (1) year period.

Mr. Roy said he distributed a letter tonight from the Township. He said they are asking for a waiver of review, connection, and inspection fees.

Mr. Roy said in this case, it is a lot of money. He said on the water side, you are up to 21 equivalent units. Mr. Roy said the splash park is 18 units. Mr. Roy said that is almost \$75,000 in fees.

Mr. Roy said the application and inspection fee, since it for Minor Approval, is \$5,000 each for inspection, and the application is \$1,500 each. Mr. Roy said they are requesting that the entire connection fees be waived on both the water and sewer.

Mr. Roy said that is a legal issue, so I would defer to Attorney Jacobs on what we can do in that area of waiving fees.

Dr. Greenberg said that she investigated how we pay for this. She said that the Township tries to go out for grants, but it is the Township paying for it, so all the money is in the same pot. She said that she thinks of the Township and the OBMUA as sisters and brothers and try to work together. She said that you must be fair because there are costs involved, and it must be designated who pays the cost of these things. She asked, so how do we handle this?

Mr. Donatelli said that we have had numerous legal opinions on connection fees. He said that they are statutorily regulated and connected with our bonding. Mr. Donatelli said that we have very little room with that. He said that, however, in the interest of working with the Township, it is perfectly reasonable in this case to waive the inspection and review fees they are requesting. He said together it is about \$10,000 to \$12,000.

Mr. Donatelli said that it is about that, and that they are currently in arrears for about \$6,000. He said administratively we could wash that out. He said the connection fees are going to be a lot more problematic.

Dr. Greenberg said as far as the connection fees are concerned, how many are there?

Mr. Roy said there are two for irrigation, 18 for the splash park, and one for the restrooms.

Mr. Donatelli said the splash park is driving this. Mr. Donatelli asked if this is going to be free or is any revenue generated?

Dr. Greenberg said it is free, but revenue will be generated from people who rent the facility. She said it is costly, and manpower will be increased. She said if there are statutory things with inspections, but it is money from one pot to another. Dr. Greenberg said that she is not saying to waive the fees, but if there are any discounted things to consider.

Mr. Donatelli said that we looked at the Statute, and there is one agency for being aged restricted in the Statute to get a reduction. He said that there is nothing in the Statute for this.

Mr. Roy said that under Phase 1, they went into the red in their escrow. He said \$3,000 in water, and \$3,000 in sewer. He said that he never asked them for it. Mr. Roy said Charlie Winkler CCTV'd it for nothing, and we did not charge the escrow account. Mr. Roy said anybody else, if they were closing out the job, they would have to zero out their account. Mr.

Roy said that first they said that they were not putting in irrigation under Phase 1, and then they changed their mind, and I worked through the Engineering with the Township and had them apply for an inch and a half meter without bringing it to the Board. Mr. Roy said that we have been trying to work with them.

Dr. Greenberg said it is important for everyone to work together.

Attorney Jacobs said that we are a separate entity.

Mr. Donatelli said operating a utility today isn't like it was thirty years ago. He said just the regulatory environment is overwhelming. Mr. Donatelli said that we are all dealing with aging infrastructure. He said that our engineers are trying to keep up with the system running well. Mr. Donatelli said that all that he is advocating is to do what we can do. He said I love it when they help us, but there are certain things that are just overextending on our part, and we should be careful about it.

Dr. Greenberg said that she understands. She said that she wishes that it was defined that there is a category if you are working together that things are waived like application fees and inspection fees.

Mr. Donatelli said that in the past even fire companies and the Board of Education, and even the municipal building, they had to pay.

Mr. Roy said my recommendation is that we include the Minor Water approval with the nine Conditions, and the first Condition of paying all applicable fees including the wet cut fee and the three water meters. He said similarly the sewer recommendation is for Minor Sewer Approval, which is just the restroom, and ten Conditions in that recommendation. Mr. Roy said the first Condition is what we consider waiving with this approval.

Attorney Jacobs said based on the conversation, I believe what the Board is considering is to waive the application fees and the escrow fees which include the review and inspection fees and fees in arrears that are currently on the books for water and sewer from Phase 1.

Attorney Jacobs said a motion is needed to adopt a resolution Cottrell Farm Park, Phase 2, application subject to the conditions set forth in Mr. Roy's February 10, 2023, Report.

A motion to approve Township of Old Bridge, Cottrell Farm Park, Phase 2, W23-710, Minor Water – 1 Restroom + 18 Splash Park + 2 Irrigation = 21 EDCU's was made by Mr. Casserly and seconded by Mr. Blair.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Walker, Weber, Galante

4 Ayes 0 Nays 3 Absent

Attorney Jacobs said a motion is needed to adopt a resolution for Sewer Application S23-556, Minor Sewer – 1 EDCU Restroom.

Attorney Jacobs said the consensus of the Board is to waive the application fee and the escrow fees which are the review and inspection fees, and forgive the fees that are due from Cottrell Farm Park Phase 1 and subject to the ten Conditions set forth in Mr. Roy's February 10, 2023, Report.

A motion to approve Township of Old Bridge, Cottrell Farm Park, Phase 2, Sewer Application S23-556, Minor Sewer – 1 EDCU Restroom was made by Mr. Casserly and seconded by Mr. Blair.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Walker, Weber, Galante

4 Ayes 0 Nays 3 Absent

**SEGME OLD BRIDGE, GC, LLC/SEGME GOLF
COURSE W21-701, Tentative Water – 14 Domestic + 1 Fire
= 15 EDCU's**

TYPE: COMMERCIAL

USE: DOMESTIC AND FIRE PROTECTION

BLOCK/LOT: 10252/4, 11250/1.12, 11251/20, 11251.13/15 (217 Acres)

LOCATION: On Township owned property along Lambertson, John Partridge, and Amboy Roads, north of Most Holy Redeemer Church.

DESCRIPTION: Construction of eight-inch (8") DIP connecting into the existing twelve-inch (12") water main in Lambertson Road and water services connecting into the existing twelve-inch (12") water mains on John Partridge and Amboy Roads to provide domestic and fire water service to the proposed 7,000 SF Clubhouse, a proposed 672 SF pump house, and a proposed 6,200 SF maintenance building.

COMMENTS:

1. Balance of Preliminary and all Tentative Review fees are due.
2. 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.
3. The Authority granted Preliminary Approval on January 19, 2022.
4. Submit proof of Township Planning/Zoning Approval (signed Resolution) when available.
5. Provide required fire flow demand in gallons per minute (gpm) for the proposed clubhouse building (include ISO calculations). If a fire suppression system is proposed, the fire flow demand and pressure (gpm and psi) are required for our review. A hydrant flow test must be performed to verify the availability of required fire flow demand.
6. Provide peak water demand in gallons per minute (gpm) and a listing of the number of fixture types for **each building** for the purpose of sizing each building's water meter.
7. Applicant has acknowledged that all proposed water mains and fire

hydrants will remain privately owned and maintained by the Applicant.

8. Provide revised quantity estimate in accordance with attached form.
9. The Club House's fire/domestic 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. Applicant to indicate if any conditions exist requiring a NJDEP Physical Connection Permit.
11. The size, material and installation of the on-site water service lines are also subject to approval by the Township Plumbing Sub-Code Official.
12. Submit proof of the Fire Official's Approval of hydrant locations.
13. Provide a list of outside agency permits required for this project including Township Road Opening Permit. It appears that the work under this Application will not require a NJDEP Safe Drinking Water Permit.
14. Drawings to be revised as per the marked-up drawing set sent previously on January 13, 2023
15. Submission deadlines for a Final Water Application package are as follows:
 - A. February 22, 2023
 - B. March 29, 2023
 - C. April 26, 2023
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 February 10, 2023, 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 one year.

Mr. Roy recommends Tentative Water Approval subject to the four Conditions in his report and addressing all the comments in his February 10, 2023, Report.

**SEGME OLD BRIDGE, GC, LLC/SEGME GOLF
COURSE S21-551, Tentative Sewer – 14 EDCU's**

TYPE: COMMERCIAL

DRAINAGE BASIN: Tennent Brook

BLOCK/LOT: 10252/4, 11250/1.12, 11251/20, 11251.13/15 (216.66 Acres)

LOCATION: On Township owned property along Lambertson, John Partridge and Amboy Roads, north of Most Holy Redeemer Church.

DESCRIPTION: Construction of eight-inch (8") PVC sanitary sewer main, three (3) pump stations with 6,111 LF of two-inch (2") HDPE force main and an on-site manhole connecting into the existing sanitary sewer on Amboy Road to service the proposed 7,000 SF Clubhouse, a proposed 672 SF pump house, and a proposed 6,200 SF maintenance building.

COMMENTS:

1. Balance of Preliminary and all Tentative fees are due.
2. The Authority granted Preliminary Approval on January 19, 2022.
3. Submit proof of Township Planning/Zoning Approval signed Resolution when available.
4. Provide a revised quantity estimate in accordance with the attached form.
5. The size, slope and installation of the on-site sewer lateral and private pump stations are subject to approval by the Township Plumbing Sub-

Code Official.

6. Provide a list of outside agency permits required for this project including Township Road Opening Permit. It appears that the work under this application will not require NJDEP Treatment Works Approval.
7. Drawings to be revised per marked-up drawing set sent previously on January 13, 2023.
8. Submission deadlines for a Tentative Sewer Application package are as follows:
 - A. February 22, 2023
 - B. March 29, 2023
 - C. April 26, 2023
9. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
10. Recommend Tentative Sewer Approval subject to following four (4) conditions:

CONDITIONS:

1. Applicant shall pay all applicable fees.
2. All comments from this Engineer's Report dated February 10, 2023, 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 by one year.

Attorney Jacobs said we need a motion for resolution of SEGME OLD BRIDGE, GC, LLC/SEGME GOLF COURSE, W21-701, Tentative Water – 14 Domestic + 1 Fire = 15 EDCU's subject to the four Conditions set forth in Mike Roy's report of February 10, 2023.

Dr. Greenberg made the motion. It was seconded by Mr. Casserly.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes

0 Nays

3 Absent

Attorney Jacobs said a motion is needed for a resolution for SEGME OLD BRIDGE, GC, LLC/SEGME GOLF COURSE, S21-551, Tentative Sewer – 14 Edu subject to the four Conditions set forth in Mike Roy’s report of February 10, 2023.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes

0 Nays

3 Absent

OTHER ENGINEERING REPORTS:

HANLEY ORCHARDS – W20-693, S20-545, WATER & SEWER DEVELOPERS AGREEMENTS

Mr. Roy said this used to be called Fountains.

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 October 19, 2022, which included the payment of water and sewer connection fees.

The Developer Agreements consist of the standard language, and the conditions of the Final Water and Sewer Approvals to construct approximately 1,200 LF of six-inch (6”) and eight-inch (8”) DIP connecting into the existing water mains in Old Mill Road and Spring Hill Road, and construction of approximately 980 LF of eight-inch (8”) PVC sewer main connecting into an existing manhole on Old Mill Road to provide water and sewer service to a proposed apartment complex consisting of three (3) buildings which will have 19 one-bedroom and 39

two-bedroom age-restricted luxury apartment units and a 2,000 SF clubhouse.

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

Mr. Roy said that he recommends this.

Attorney Jacobs said we will do the water and sewer separately.

Attorney Jacobs asked for a motion for a resolution for Hanley Orchards – W20-693, Water Developer’s Agreement authorizing the Chairman and Secretary to sign on behalf of the Authority.

A motion was made by Mr. Casserly and seconded by Chairman Walker.

There was no discussion.

The roll call vote was as follows:

Ayes:	Greenberg, Blair, Casserly, Walker
Nays:	None
Absent:	Razzoli, Weber, Galante
4 Ayes	0 Nays 3 Absent

Attorney Jacobs asked for a motion for a resolution for Hanley Orchards – S20-545 Sewer Developer’s Agreement authorizing the Chairman and Secretary to sign on behalf of the Authority.

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

There was no discussion.

The roll call vote was as follows:

Ayes:	Greenberg, Blair, Casserly, Walker
Nays:	None
Absent:	Razzoli, Weber, Galante
4 Ayes	0 Nays 3 Absent

Purchase Portable Sewer By-Pass Pump from NJWC Cooperative

The portable sewer bypass pump in the Sewer Division is more than thirty (30) years old and needs replacement. There is a portable sewer bypass pump manufactured by Atlas Copco that would suit the Authority's needs. The Authority has previously joined the North Jersey Wastewater Cooperative (NJWC) which is managed by the Passaic Valley Sewerage Authority (PVSC). Rapid Pump & Meter Service Co. is a supplier of Atlas Copco pump equipment and has a contract with the NJWC cooperative.

Attached is Rapid Pump & Meter Service Company's quote dated February 2, 2023, to replace the Authority's by-pass pump under their cooperative Contract #B279A in the amount of \$69,825.00.

I recommend that the Authority authorize the purchase of an Atlas-Copco PAS 100 HFS T4F KD Diesel Vacuum Prime Centrifugal Portable Pump from Rapid Pump & Meter Service Company in accordance with their quote dated February 2, 2023, in the amount of \$69,825.00 under NJWC Contract #B279A subject to attorney review. The thirty (30) year old portable sewer bypass pump can be auctioned off on gov.deals.

Mr. Roy said he recommends that the Authority authorize the purchase of this from Rapid Pump & Meter Service Co. in the amount of \$69,825.00 under NJWC Contract #B279A subject to attorney review.

Mr. Roy also said that the old equipment be put on auction under govdeals.com website.

Attorney Jacobs said we have two motions. He said one is for a resolution to purchase a portable sewer by-pass pump from NJWC Cooperative for \$69,825.00 in accordance with the specifications set forth in Mike Roy's report of February 10, 2023.

A motion made by Chairman Walker and seconded by Dr. Greenberg.

There was no discussion.

The roll call vote was as follows:

Ayes:	Greenberg, Blair, Casserly, Walker
Nays:	None
Absent:	Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

Attorney Jacobs said the second motion for resolution is to sell the Authority's 30-year-old sewer bypass pump on govdeals.com.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

Purchase Vacuum Hydro-Excavation Equipment through a National Cooperative

The Authority has a need to purchase Vacuum Hydro-Excavation Equipment for use in the maintenance and repair of the Authority's Water Distribution System. This equipment provides for a more quick, safe, and efficient excavation of soils during maintenance repairs of water main breaks or water service and water valve leaks. The Authority's personnel had several demonstrations of various manufacturers of this equipment by Vac-Con, RamVac and TruVac, all three (3) of which are available through the National Cooperative, SOURCEWELL, of Staples, Minnesota, of which the Authority is a member.

Based on the demonstrations that we have seen; the staff is recommending the purchase of this equipment manufactured by TruVac. The Authority's Staff has met with the representative of the New Jersey local distributor (Jack Doheny Company) of the SOURCEWELL contract vendor (Vactor Manufacturing a Division of Federal Signal) and we obtained a price quote for the purchase of Vacuum Hydro-Excavation Equipment that would meet the Authority's needs and represents a three (3) percent discount.

The Department of Community Affairs issued guidelines in 2012 for the purchase of goods and services from national cooperative contracts. The State Legislature in 2011 has also passed laws that allow local contracting

units, like the Authority, to utilize national cooperative contracts as a method of procurement. The Department of Community Affairs guidelines require that the contracting unit publicly advertise their intent to award a contract to a vender under a national cooperative contract, to allow other vendors to offer alternatives.

We have complied with the NJ Department of Community Affairs legal requirements which have been reviewed by our General Counsel. The Authority has advertised its intent to award a contract to a vender of a National Cooperative Organization to purchase Vacuum Hydro-Excavation Equipment under Contract No. 101221-VTR. We have received no written response to the advertisement. Mr. Roy asked if there was anyone in the audience on this matter.

There was nobody in the audience with any comments on awarding this.

Mr. Roy said that he recommends awarding a contract to purchase a TRUVAC HXX PD 18" Vacuum Hydro-Excavation from Jack Doheny Company, of Wharton, NJ, Exclusive Dealer for Vactor Manufacturing, a Division of Federal Signal, University Park, Illinois, Contractor Vendor to SOURCEWELL National Cooperative, under Contract No. 101221-VTR in the amount of their price quote of \$530,881.76 dated December 10, 2022.

Mr. Roy said that he thinks that we should have this equipment for the future. He said Guy Donatelli may wish to weigh in on the importance of having this equipment in the future.

Mr. Donatelli said thanks to Charlie Winkler for letting us use their equipment, we found it is a much safer and user-friendly way when you are around gas and electric and unmarked stuff.

Attorney Jacobs said that a motion is needed for the purchase of a Vacuum Hydro-Excavation Equipment through a National Cooperative in the terms in Mike Roy's February 8, 2023, Report.

A motion was made by Chairman Walker and seconded by Mr. Casserly.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Blair, Galante
4 Ayes 0 Nays 3 Absent

REDEVELOPMENT OF WELL NO. 3 – AWARD CONTRACT W23-228

Sealed bids were opened and read aloud on Tuesday, February 7, 2023, at 2:00 P.M. at the Authority's office for this project.

A.C. Schultes, Inc., the lone bidder, has not taken any exceptions to their bid proposal, and their unit prices appear to be balanced and approximately fifteen (15) percent higher than the Engineer's Estimate. A.C. Schultes, Inc. has performed well development work for the Authority in the past and has completed all the work in a satisfactory manner. A.C. Schultes, Inc. is also not listed on the State's Debarred List.

Mr. Roy recommends awarding this contract to A.C. Schultes, Inc., of 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097, as the lowest responsible bidder, in the amount of \$199,050.00, if the bid package is deemed legally acceptable.

Well redevelopment contracts are used to perform routine preventative maintenance work on our drinking water wells every five (5) to ten (10) years to keep them in good working condition. This preventative maintenance work is funded out of the operating budget from line-item No. 01-003-9030.

Mr. Roy said this pricing has skyrocketed recently in the last couple of years. He said that he puts in the contract a lot of things that we may not need, so that we don't have to negotiate prices afterwards. He said that we may have final quantities change order that bring this number down a little bit. Mr. Roy said that this is what we do, we sell water, and we need to get in there and redevelop our wells to keep them in good working condition. He said that because of that and the good reputation of A.C. Schultes, He is recommending that we authorize this contract for Well No. 3 Redevelopment with A. C. Schultes.

Attorney Jacobs said we need a motion for a resolution approving the award of the contract to A. C. Schultes, Inc. for redevelopment of Well No. 3 in the amount of \$199,050.00 as recommended in Mike Roy's February 8, 2023, Report.

The motion was made by Mr. Casserly. It was seconded by Mr. Blair.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker
Nays: None
Absent: Razzoli, Weber, Galante

4 Ayes

0 Nays

3 Absent

**Laurence Harbor Water System Improvements,
Phase 1 – Authorization of Termination Agreement with
Lucas Brothers, Inc.**

The Commissioners previously authorized a termination of a Contract with Lucas Brothers, Inc. for the Laurence Harbor Water System Improvements, Phase 1 with the attached resolution No. M-56-22, based upon recommendations from both CME Associates and the Authority's Staff. A termination agreement that documents the mutual agreement to terminate this contract with Lucas Brothers, Inc. was reviewed by Mr. Cleary's office.

The project is being funded through the I-Bank low interest loan program. The NJDEP has notified the Authority to proceed with the contract termination subject to their review of the re-designed bid package. CME Associates is providing the NJDEP with all the documentation necessary for them to review the project to again get NJDEP approval to advertise this project for public bids.

The attached termination agreement with Lucas Brothers, Inc., includes language that will allow the Authority to purchase some of the water supply parts previously purchased by Lucas Brothers Inc. for this project, that will make these water supply parts available for later use by the Authority. The unit prices of the items are less than our Annual Contract prices, and the total price of the items to be purchased is less than the Bid Threshold requiring public bids.

The termination agreement has been signed by Lucas Brothers, Inc, and Mr. Roy recommends that the Commissioners authorize the countersigning of this agreement and moving on with the I-Bank to get the next project funded.

Attorney Jacobs said back in August, the Board voted to resolve to terminate the agreement with Lucas Brothers. Attorney Jacobs said that termination was mutual, so we entered a Mutual General Release which the effect is a Termination Agreement. He said the agreement is termination, and it also sets forth the terms in this Mutual General Release. It says Lucas gives up any no rights that they have against us in connection with the contract, and we give up any no rights that we have against them in connection with the contract. Attorney Jacobs said the only other caveat is that in exchange, we have agreed to buy materials costing a little under \$17,500 in materials which are attached to the Mutual Release.

Attorney Jacobs said a motion is needed for a resolution approving the General Release and authorizing the Chairman to sign the General Release on behalf of the Board.

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

There was no discussion.

The roll call vote was as follows:

Ayes:	Greenberg, Blair, Casserly, Walker	
Nays:	None	
Absent:	Razzoli, Weber, Galante	
4 Ayes	0 Nays	3 Absent

Disbrow Road Water Storage Tank Bid Results from CME Associates

Mr. Roy said we took bids on Disbrow Road Storage Tank. He said at one point we had a price on this tank years ago before Covid-19 at \$5,000,000 which was our budget. Mr. Roy said there was one bidder on this, not the one that we had been working with over the years, and he came in \$7,500,000. Mr. Roy said the recommendation from CME Associates is, and Guy Donatelli and I agree, is to reject that bid, and to investigate cost saving measures that we can put into this contract and possibly find something that we could go out to bid and reduce the cost here. Mr. Roy said we are working with the contractor that does design build work, and one of the major tank manufacturers, and they did a value engineering list for us to look through and study to evaluate how we can maybe redesign the scope of the work, and how we specify it, so that we can realize some cost savings and get more bidders. Mr. Roy said we do not know if this is high or low since there was only one bidder.

Mr. Roy asked Mr. Ed Traina, CME Associates, if he had anything to add to this.

Mr. Traina said no, that is pretty much it. He said for instance the steel price was in 2019 around \$3,000,000. Mr. Traina said the steel price today is \$4.2 million.

Mr. Donatelli said for the Authority it must be U.S. Steel.

Dr. Greenberg said can't you buy a tank and refurbish one?

Mr. Donatelli said you do not want a recycled tank.

Attorney Jacobs said a motion is needed for resolution to reject all bids in connection with project No. POB00451.01, CME's number, with respect to the Disbrow Road Elevated Water Storage Tank with the reasons set forth in Mike Roy's report of February 8, 2023.

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

There was no discussion.

The roll call vote was as follows:

Ayes:	Greenberg, Blair, Casserly, Walker
Nays:	None
Absent:	Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

Mr. Roy said that concludes his report.

A motion to approve Mr. Roy's Engineering Report was made by Dr. Greenberg and seconded by Mr. Casserly.

The voice vote was as follows:

All Commissioners that were present were in favor.

No Commissioners were opposed.

4 Ayes 0 Nays 3 Absent

Financial Report: Michelle Smith, Comptroller

Mrs. Smith said that her first resolution is for the renewal of our Cyber Liability Policy. She said that CFC came in with the best quote of \$20,575 for the year. Mrs. Smith said that she recommends renewing this policy with them.

Attorney Jacobs said that a motion is needed for a resolution authorizing the renewal of the Cyber Liability Policy for \$20,575 for the year.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

Mrs. Smith said that her next resolution is for the renewal of our Vision Insurance Policy. She said that VSP presented us with a 0% rate increase proposal for 2 years in the amount of \$38,317 per year based on our current enrollment. She said that she recommends renewing this policy with VSP.

A motion to renew the Vision Insurance Policy with VSP as recommended by Mrs. Smith was made by Mr. Casserly and seconded by Mr. Blair.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

Mrs. Smith said that her last resolution is for the renewal of our Dental Insurance Policy. She said that Delta Dental presented us with a 0% rate increase proposal for 3 years in the amount of \$167,365 per year based on our current enrollment. Mrs. Smith said that she recommends renewing this policy with Delta Dental.

A motion to renew the Dental Insurance Policy with Delta Dental with a 0% rate increase proposal for 3 years in the amount of \$ 167,365 was made by Mr. Casserly and seconded by Mr. Blair.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

A motion to approve Mrs. Smith's Financial Report was made by Dr. Greenberg and seconded by Mr. Blair.

The voice vote was:

All Commissioners that were present were in favor.

No Commissioners were opposed.

4 Ayes 0 Nays 3 Absent

Bills & Claims: Dr. Greenberg said that the bills and claims for this month are for a total amount of \$2,807,979.58.

Mr. Casserly made a motion to approve the Bills & Claims in the amount of \$2,807,979.58. The motion was seconded by Mr. Blair.

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

Legal Report: Mitchell B. Jacobs, Esq.

Attorney Jacobs said that he does not have a legal report.

Old Business: **Authorizing Gagliano & Company to do an Appraisal on the Englishtown Road Property**

Attorney Jacobs said that regarding a property that the Authority owns on Englishtown Road, the first matter of business is to authorize Gagliano & Company to do an appraisal of the Englishtown Road Property.

Attorney Jacobs said that Gagliano & Company is an appraisal company currently working for the Authority doing an appraisal on a property at 143 Ticetown Road.

Mr. Roy explained that the Authority previously purchased this property from the Township of Old Bridge with the hopes of building an aquifer recharge facility to gain some credits so that we can take more groundwater to treat at our two water treatment plans. He said that we went to the DEP, and they basically made it financially infeasible for us to do that plan. Mr. Roy said that now we are trying to see what else we can do with the property.

Mr. Roy said that at this point, there is a project that the Township is now interested in looking at to do and wants to buy back a piece of this property. We need to get a property appraisal, so that we know what this portion of the property is worth.

Mr. Roy said that CME was involved in the aquifer recharge project. He said there are a lot of wetlands on the property, and CME did some work in this area to identify wetlands. We will get CME to provide this information to Attorney Cleary's office and have CME work with the Appraiser to the extent necessary to provide enough information to help him provide an appraised value of the portion of the property that the Township wants to purchase back from us so that they can determine if they still want to go ahead with their project.

Attorney Jacobs said a motion is needed for a resolution authorizing Gagliano & Company to appraise the real property commonly known as the Authority's Englishtown Road Property.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

Authorizing Eminent Domain Proceedings for the Property at 143 Ticetown Road

Attorney Jacobs said that the next matter is the acquisition of the property on 143 Ticetown Road. He said that this is a piece of property that the Authority is interested in purchasing.

Mr. Donatelli said that this is a piece of property just on the other side of Throckmorton Lane from the treatment plant on Ticetown Road. He said that the reason we want to purchase it is that we are looking to relocate the Throckmorton Plant there. Mr. Donatelli said that the plant is 70 years old, and it is falling apart. He said that we have been doing what we could over the last couple of decades to keep it going. Mr. Donatelli said that we were looking at different avenues. He said that this makes a lot of sense to us, because it is in proximity to our existing wells, and it is difficult with the DEP restrictions to move them to a different location.

Mr. Donatelli said that if the groundwater diversion cannot be easily transferred or pumped from the location of the existing wells, it makes the property useless. He said that this piece is very close. He said that he does not think that we will have a problem with moving the existing wells, it would be just a matter of coming under Route 9 to the site. Mr. Donatelli said that as the crow flies, it is a little over a thousand feet away. He said that he doesn't think that we are going to as many problems as we had in the past with the wells meeting the criteria that the State looks for.

Mr. Donatelli said that he is currently asking Attorney Cleary if we could get onto the property to start some cursory soil investigations. Mr. Donatelli said that right now it seems that the owner of the property does not want to negotiate price, so we will have to use eminent domain to acquire the property.

Attorney Jacobs said that there must be a period of time to negotiate a purchase price with the seller. He said that the seller is the estate of the deceased owner, but that the negotiations were going nowhere. He said that there was a very large gap between what we thought was a fair market value, and the Authority has the power of eminent domain, which means to condemn property for public use. Attorney Jacobs said that tonight in the resolution, you are authorizing the Authority to start the condemnation proceedings and to authorize the Executive Director and the Chairman to sign whatever documents that would be needed to purchase the property for up to a \$1,220,000.

Dr. Greenberg asked if there have been negotiations or communications with the owner?

Attorney Jacobs said yes that there has been for several months.

Attorney Jacobs said that negotiations have been done, and there was an appraisal done.

Mr. Donatelli said that this has been back and forth, and if the price was in reason, we could negotiate a little bit. The value they are looking for is based on a major zoning change there so that a builder could put in high rise apartments. He said that is not what they can do today based on current zoning.

Attorney Jacobs said that we need a motion for a resolution whereby the Authority is going to exercise its power of eminent domain and direct the firm of Cleary, Giacobbe, Alfieri, Jacobs to institute proceeding to acquire the entirety of Block 14263, Lots 11 and 11Q from the Estate of Vincent Navickas upon property known as 143 Ticetown Road, Old Bridge, New Jersey, for the appraised value up to \$1,220,000; and hereby direct the

Executive Director and the Chairman to issue a check for the amount up to \$1,220,000.

The motion was moved by Mr. Casserly and seconded by Mr. Blair.

The roll call vote was as follows:

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

4 Ayes 0 Nays 3 Absent

New Business: None

Open to Public: Chairman Walker opened the meeting to the public.

Seeing no hands, Chairman Walker closed the public portion.

Executive Session: Attorney Jacobs said that there is no Executive Session.

Adjournment: A motion to adjourn the meeting was made by Mr. Casserly and seconded by Dr. Greenberg.

The roll call vote was as follows:

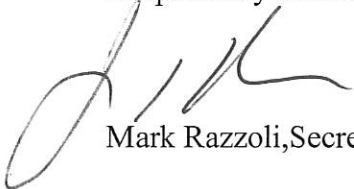
All Commissioners that were in attendance were in favor.

No Commissioners were opposed.

4 Ayes 0 Nays 3 Absent

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,



Mark Razzoli, Secretary