

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
JULY 19, 2023**

Call to Order: The Regular Meeting of July 19, 2023 was called to order at 11:00 a.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](http://www.obmua.com).

Roll Call: This Public Meeting is being recorded.

Present:

Bruce Walker, Chairman  
Frank Weber, Vice Chairman  
Anita Greenberg, Treasurer  
Mark Razzoli, Secretary  
James Blair, Commissioner  
Thomas Galante, First Alternate Comm. (Arrived at 11:14 a.m.)  
Edward Casserly, Second Alternate Commissioner

Also Present:

Michelle Smith, Comptroller  
Michael Roy, P.E.  
Mitchell B. Jacobs, Esq.

Absent:

Guy Donatelli, Executive Director

Executive Director's  
Report:

Michael Roy, Assistant Executive Director

Chairman Walker said that Mr. Roy will be sitting in for Mr. Donatelli.

Mr. Roy said that Mr. Donatelli asked me to cover for him today due to a family emergency.

Mr. Roy said that the Monthly Water Distribution, Drinking Water Analysis, Monthly Distribution System Report, and the Maintenance Meter Report are included in the Commissioners packages.

Mr. Roy asked if anyone had any questions.

Mr. Razzoli said that there has been some misinformation out there. He asked if building warehouses affects the quality of water in this town.

Mr. Wally Tier, Superintendent of Distribution, said no.

Mr. Razzoli said that he wanted this matter to be stated at this public meeting for the record.

Mr. Roy said that the quality of water is based on how it is treated at the water treatment plants.

Mr. Razzoli said that candidates for Mayor and Council are putting out in the literature that the warehouses would affect the quality of water.

Mr. Roy said that is a wild accusation.

Mr. Roy said that the other items in the Executive Director's report has to do with Management Compensation which we will hold until next month since Mr. Donatelli is not here.

Chairman Walker asked if anyone had any questions on the Executive Director's Report?

There were none.

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

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

Chairman's Report: Bruce Walker, Chairman

Chairman Walker said that he didn't have a report but said that he has a couple of comments.

Chairman Walker said that there are a few people we need to recognize. He said that Mrs. Smith was awarded the Government Financial Officers'

Association Award for Excellence in Financial Reporting. He said that we received this in the past, and both Michelle and her staff received it again. Chairman Walker said that he would like to congratulate Mrs. Smith and her staff on that award.

Chairman Walker said that one of our own, Vinnie Lovallo, is a volunteer fireman. He said that there was a structure fire in Glenwood early one morning. Chairman Walker said that Vinnie Lovallo was able to perform a rescue of a child. Chairman Walker said that he is certainly a hero. Chairman Walker said to give him a pat on the back when you see him.

Chairman Walker said that he was able to spend some time with Wally Tier and the Water crew. He said that he will also visit the Sewer crew. He said that he learned a lot. Chairman Walker said that he has a new appreciation for what the guys do, and thanked them for all their hard work.

Previous Minutes:

**Regular Meeting – March 15, 2023**

Chairman Walker asked if the Commissioners had reviewed the Minutes? He asked if anyone had any corrections?

There were none.

A motion to approve the Regular Meeting Minutes of March 15, 2023 was made by Mr. Razzoli and seconded by Dr. Greenberg.

There was no discussion.

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

Superintendent's  
Report:

Ernie Gillins, Superintendent, Sewer Division

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

There were no questions.

Mr. Razzoli made a motion to accept the Sewer Division Superintendent's Report. It was seconded by Dr. Greenberg.

There was no discussion.

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

Engineering Reports: Michael Roy, P.E.

## **REPORT UPON DEVELOPER'S APPLICATIONS FOR APPROVAL**

### **1. 2020 Real Estate Warehouse A.K.A. JBS Warehouse W21-699, Final Water – 50 Domestic + 1 Fire = 51 EDCU's**

Mr. Roy reported that the location of this project is located on the east side of Rt. 9, south of the Jake Brown Dirt Road.

Mr. Roy said that the project is for construction of approximately 9,460 LF of on-site 10" DIP water main and fire hydrants to service a 495,086 SF warehouse building. Water service will be provided to the warehouse by connecting to the existing water mains on Rt. 9 and Cottrell Road. A twelve-inch (12") water main is proposed along Jake Brown Road from Rt. 9 to the Warehouse entrance road.

Mr. Roy said that Preliminary Approval was granted in April of 2022. He said that their Consulting Engineer then wasted the rest of 2022 arguing about how the fire protection was going to be designed. Mr. Roy said that some of the designs that they came up with would not work in his opinion. He said that they wanted tanks on top of booster stations pressurizing water mains to 160 pounds within the warehouse campus that tie into our water system which would end up discharging the pressure out into our entire water distribution system. They would have to pressurize 300 miles of our water main before they got 160 pounds of pressure to their buildings.

Mr. Tom Miller, Fire Official, helped with this, and the Applicant's Consulting Engineer got serious about a better fire protection design that included putting a ten-inch water main loop around the warehouses with

fire hydrants connected to our system, and a fire pump inside the building.

Mr. Roy reviewed his Comments.

1. Final Review fees have been paid. Water Connection Fee is due before a meter application is submitted.
2. The Authority granted Tentative Approval on April 19, 2023. Township Final Planning Board Approval was granted on March 24, 2022.
3. 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.
4. Provide peak water demand in gallons per minute (gpm) based on a fixture unit calculation of the warehouse building for the purpose of sizing the water meter.
5. Applicant has acknowledged that the proposed 12" water main and fire hydrants within the public right-of-way of Jake Brown Road will be dedicated to the Authority.
6. Applicant has acknowledged that all of the proposed off-site and on-site 10" water mains and fire hydrants and on-site 8" fire service lines will remain privately owned and maintained by the Applicant.
7. The buildings' fire 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 the Building Permit Application.
8. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
9. Recommend Final Water Approval subject to my ten (10) conditions:

Mr. Roy reviewed the Conditions:

1. Applicant shall pay all applicable fees. The Water Connection Fee must be paid prior to the issuance of the water meter for the warehouse.
2. The Applicant shall comply with and address all comments in this Engineer's Report dated July 12, 2023.

3. All proposed off-site 12" water mains and fire hydrants shall be dedicated to the Authority. All proposed off-site and on-site 10" water mains and fire hydrants and on-site 8" fire service lines will remain privately owned and maintained by the Applicant.
4. Fire service line size and number of sprinkler heads shall be provided to this Authority as soon as available.
5. Applicant to schedule a pre-construction meeting at least two (2) weeks prior to commencing any utility construction.
6. Applicant to execute Developer's Agreement for water utility construction which incorporates all requirements of both the Authority and the Township Approvals prior to the pre-construction meeting.
7. Performance Guarantee, Certificate of Insurance, shop drawings and proof of all required permits shall be provided prior to the pre-construction meeting.
8. The Applicant shall construct the water improvements in accordance with the Approved Drawings and permits issued by any Agency having jurisdiction.
9. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
10. This Final 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, unless otherwise extended by law.

Mr. Roy said that he reviewed the fees due, and there are some issues that he wanted to bring up about the fees. He said that our Rules & Regulations have escrow amounts set for medium sized projects. Mr. Roy said that when projects are small, the percentage of constructions costs and performance bonds amount are too small, but in a large project, they are too big. He said that we need to revise our Rules and Regulations and that there should be a sliding scale. He said that the DEP does it, so we can do it too.

Mr. Roy said that regarding the fees, they paid 5% for tentative review fees and 5% for final review fees. He said that between the two, they paid \$100,000 in review fees. Mr. Roy said that amount is sufficient for them to begin construction instead of having to pay another 10% of the construction fees for Inspection Fees at this time.

Mr. Roy said that something must be adjusted in our Rules and Regulations, so that we don't overbill.

Mr. Roy said that this month we are returning Kennedy International Warehouse House \$75,000 to them because we had collected so much escrow money. Mr. Roy said that he doesn't think there is a need for us to collect more escrow money for JBS Warehouse.

He also said that with the Performance Guarantees, normally we require a 90% Surety Bond and a 10% Cash Bond. Mr. Roy said that when we have a large project that has a water and sewer utility construction costs in the millions of dollars, a 95% Surety Bond and a 5% Cash Bond is sufficient. He said that at 5%, the Cash Bond on this project would be \$50,000 on the sewer side with million-and-a-half-dollar Surety Bonds on both water and sewer and about \$80,000 of cash bond on the water side which is more than enough to protect the Authority. He said that he would like to do that on this project. Mr. Roy said that we are having a pre-construction meeting on Monday, so that they can get started with water and sewer utility construction.

Mr. Roy said that he is recommending Final Water Approval subject to the ten Conditions in his report including the payment of water connection fees prior to the issuance of a water meter and all applicable fees for the warehouse.

Dr. Greenberg said that developers spend a lot of money, and their engineer designs something that is not functional, and it drags on for a year. She asked how is there this time lapse? Did they not reach out to you?

Mr. Roy said that there were battles going on between us, and they insisted on doing it their way. He said that he had to bring in Tom Miller, Fire Official, to help.

Dr. Greenberg said that she was glad that you did, but it is very frustrating if the owner of the project was not aware that their engineer is pushing ahead with something that is not going to work.

Mr. Roy said that the owner hired the Consulting Engineer, and he should get an update from them. Mr. Roy said that at some point he began to include Efreem, the applicant and property owner, on the emails, so that he was in the loop.

Dr. Greenberg said that she was glad that it got resolved.

Attorney Jacobs asked if the Performance Guarantee of 95% and 5% is allowed currently?

Mr. Roy said No, that it is not in our Rules and Regulations, it would need to be a waiver of the requirement of our Rules and Regulations.

Attorney Jacobs asked if we have ever waived that before?

Mr. Roy said this no, this would be the first time. He said that we rarely have projects of this magnitude.

Mr. Roy said that other projects are usually done in sections, so performance guarantees are posted over many years. He said that he believes that there will be sufficient funds to protect the Authority. He said between the water and sewer, we will have a million and a half in surety bonds, and \$80,000 in cash.

Attorney Jacobs asked if the reasons for deviating from the policy is as you stated on the record.

Mr. Roy said yes, when you get into a larger project, there needs to be a sliding scale for the Performance Guarantee percentages and the percentages for the escrow accounts.

Attorney Jacobs said that he understands the need for that and something we must be determined going forward. He said that he is trying to understand how retroactively we could waive the provisions. He said for now go ahead with it as is now, and we will revisit the policy passing a resolution considering that there are types of projects contemplated by the current Performance Bonds and Cash Bonds allocation and doing it going forward. Attorney Jacobs said my recommendation would be that we stick to what we have, so nobody comes and says I shouldn't be required to do it. He said to Mike Roy to bring it back at the next meeting to consider different allocations for different types of projects.

Attorney Jacobs said a motion for a resolution for Final Water Approval for W21-699 for 2020 Real Estate Warehouse A.K.A. JBS Warehouse subject to the Comments set forth in Mike Roy's report except for the fact that they will be required to post the 90% Performance Bond and a 10% Cash Bond, and subject to the ten Conditions set for in Mike Roy's report.

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

There was no discussion.

The roll call vote was as follows:



Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

## **2. 2020 Real Estate Warehouse A.K.A. JBS Warehouse S21-549, Final Sewer – 50 EDCU's**

Mr. Roy reported that the Final Sewer Application is a little different because of connection fees. Mr. Roy said it is located on the east side of Rt. 9, south of Jake Brown Dirt Road.

Mr. Roy said that it consists of the construction of approximately 3,800 LF of eight-inch (8") PVC to service a 495,086 SF warehouse building by connecting into the existing Runyon Trunk Sewer manhole on the east side of Rt 9.

1. Final Review fees have been paid. Sewer Connection Fees are satisfied as a part of the 1995 Brunetti Sewer Agreement. The remaining Sewer Connection Fee credits after this approval from the 1995 agreement are 3,212 EDCU's (4,800 – 1,500 Oaks at Glenwood – 38 Toby Garden Apartments - 50 JBS Warehouse). Mr. Roy said he now has 3,212 credits of sewer connection fees. He said the sewer connection fees are satisfied for the JBS Warehouse.
2. The Authority granted Tentative Approval on April 19, 2023. Township Final Planning Board Approval was granted on March 24, 2022.
3. Applicant has acknowledged that all proposed off-site and on-site eight-inch (8") PVC sewer will remain privately owned and maintained by the Applicant.
4. The size, slope and installation of the on-site building sewer laterals are subject to approval by the Township Plumbing Sub-Code Official.
5. Technical requirements sufficient for Final Sewer 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 Final Sewer Approval subject to the following eleven (11) conditions:

Mr. Roy stated the Conditions.

1. Applicant shall pay all applicable fees. The payment of Sewer Connection Fees has been satisfied.
2. The Applicant shall comply with and address all comments in this Engineer's Report dated July 12, 2023.
3. There shall be no prohibited wastes discharged into the sewer system including discharge from any HVAC system.
4. All proposed on-site and off-site 8" PVC sewer mains are to remain privately owned and maintained by the Applicant.
5. The Applicant shall coordinate the utility plans approved under this application with the architectural design of this commercial building as it relates to sewer service.
6. Applicant to schedule a pre-construction meeting at least two (2) weeks prior to commencing any utility construction.
7. Applicant to execute Developer's Agreement for sewer utility construction which incorporates all requirements of both the Authority and the Township Approvals prior to the pre-construction meeting.
8. Performance Guarantee, Certificate of Insurance, Shop Drawings, Survey Elevation Grade Sheets and proof of all required permits shall be provided prior to the pre-construction meeting.
9. The Applicant shall construct the sewer improvements in accordance with the Approved Drawings and permits issued by any Agency having jurisdiction.
10. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
11. This Final Sewer 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 said that he recommends Final Sewer Approval subject to the eleven conditions in his report.

Attorney Jacobs said a motion is needed for a resolution for Application S21-549, Final Sewer Approval subject to the Comments and Eleven Conditions set forth in Mike Roy's Report with the Performance Bond of 90% and the Cash Bond 10%.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

## **OTHER ENGINEERING REPORTS**

### **1. Amboy Bank Office – Old Amboy Road (W19-681, S19-539) Performance Guarantee Releases**

Mr. Roy reported that the project includes the installation of approximately 100 LF of eight-and four-inch (8" & 4") DIP water main and an on-site fire hydrant, and 100 LF of four-inch (4") PVC sewer lateral connecting into the existing water and sewer mains in Old Amboy Road to service a 19,847 SF office building. Lawn irrigation was later added under a Minor Water Application.

Mr. Roy reviewed the status of the water and sewer utility improvements for this project.

1. Installation of water main, fire hydrant and sewer lateral are complete and satisfactory.
2. As-built drawings are approved and mylar and electronic copies have been received.
3. A water meter has been installed in the office building.
4. The combined water escrow accounts (W19-681 and W20-689 Irrigation) currently have a surplus of approximately \$2,000 as of May 31, 2023, which will be drawn upon during the close-out of the project, with either the balance returned to the Applicant, or any

additional escrow money that may be required during the close-out of the project paid for from the cash bond with the Applicant's permission.

5. The sewer escrow account is currently in a surplus of \$4,623 as of May 31, 2023, which will be drawn upon during the close-out of the project, with either the balance returned to the Applicant, or any additional escrow money that may be required during the close-out of the project paid for from the cash bond with the Applicant's permission.
6. Both the off-site and on-site water main, fire hydrant and sewer lateral installed with this project will remain privately owned and maintained by the Applicant.

Mr. Roy said that based upon the status of this application, he recommends conditional release of the Water Performance Guarantee subject to the payment of any shortfall in the water escrow account during the close-out of the project, and that both the on-site and off-site water main and on-site fire hydrant will remain privately owned.

Mr. Roy said that based upon the status of this application, he also recommends conditional release of the Sewer Performance Guarantee subject to the payment of any shortfall in the sewer escrow account during the close-out of the project, and that both the on-site and off-site sewer lateral will remain privately owned.

Attorney Jacobs said a motion is needed for a resolution for Performance Guarantee Releases for W19-681 and W20-689 (Irrigation) for Amboy Bank Office subject to the recommendations made by Mr. Roy in his July 5, 2023, Report.

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, Razzoli, Blair, Weber, Walker |          |  |
| Nays:   | None                                     |          |  |
| Absent: | None                                     |          |  |
| 5 Ayes  | 0 Nays                                   | 0 Absent |  |

Attorney Jacobs said that a motion is needed for a resolution for Performance Guarantee Release for Amboy Bank Office –Old Amboy Road for S19-539 subject to the conditions and recommendations in Mr. Roy's July 5, 2023, Report.

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, Razzoli, Blair, Weber, Walke |          |  |
| Nays:   | None                                    |          |  |
| Absent: | None                                    |          |  |
| 5 Ayes  | 0 Nays                                  | 0 Absent |  |

## **2. QuickChek – Bordentown Avenue Sayreville (S14-505) Performance Guarantee Release**

Mr. Roy reported that this project consists of the installation of a new four-inch (4") PVC lateral connecting into the existing four-inch (4") lateral pipe crossing Bordentown Avenue that connects into the existing eight-inch (8") sewer main installed with the Madison Park Development. The existing QuickChek and strip mall was demolished, and a new 4,540 SF Quick Check building convenience store and gas station was built in its place. This property is in Sayreville, but Sayreville does not have any gravity sewer service in this area, which is why the original QuickChek, and strip mall was provided with sewer service by the Old Bridge MUA.

Mr. Roy reviewed the status of the sewer utility improvements for this Project.

1. Installation of sewer lateral is complete and satisfactory.
2. As-built drawing is approved.
3. No water meter was installed since Sayreville supplies the water service.
4. The on-site sewer lateral and existing sewer lateral in Bordentown Avenue will remain privately owned and maintained by the Applicant.
5. The sewer escrow account is currently in a surplus of \$1,960 as of May 31, 2023, which will be drawn upon during the close-out of the project, with either the balance returned to the Applicant, or any additional escrow money that may be required during the close-out of the project paid for from the cash bond with the Applicant's permission.

Mr. Roy said that based upon the status of this application, he recommends conditional release of the Sewer Performance Guarantee subject to the payment of any shortfall in the sewer escrow account during

the close-out of the project, and that both the on-site and off-site sewer lateral will remain privately owned.

Mr. Roy said that Sayreville provides a water service.

Attorney Jacobs said that a motion for a resolution for conditional release of the Sewer Performance Guarantee for QuickChek – Bordentown Avenue – Sayreville, S14-505 is subject to the conditions set forth in Mr. Roy’s letter of June 27, 2023.

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

There was no discussion.

The roll call vote was as follows:

|         |  |          |  |
|---------|--|----------|--|
| Ayes:   | Greenberg, Razzoli, Blair, Weber, Walker |          |  |
| Nays:   | None                                     |          |  |
| Absent: | None                                     |          |  |
| 5 Ayes  | 0 Nays                                   | 0 Absent |  |

### **3. Oak Tree Plaza (W19-680, S19-538) Performance Guarantee Releases**

Mr. Roy reported that this project consists of the construction of approximately 1,600 LF of twelve and eight-inch (12” and 8”) DIP water main connecting into existing water mains on Rt. 34 at both Sheila Drive and Highview Terrace, and 410 LF of eight-inch (8”) PVC Sewer connecting into the existing sewer in Rt. 34 to service a multi-use development consisting of two (2) retail commercial buildings totaling 17,780SF and one (1) three-story, 36-unit apartment building.

Mr. Roy reviewed the status of the water and sewer improvements for this project.

1. Installation and testing of the water and sewer utility construction for the 36-Unit Apartment Building and Commercial Building “A” is complete and satisfactory.
2. As-built drawings are approved, mylars and electronic copies have been received.
3. NJDOT Final Inspection and acceptance of 12” water main installation within the right-of-way of Rt. 34 has been completed.
4. The 12” water main within the right-of-way of Rt. 34 between Sheila Drive and Highview Terrace has been dedicated to the Authority.

5. The water meter for the 36-unit apartment building and the 3 EDCU Commercial (Building "A") has been installed. Building "B" has not been constructed and is not anticipated to be built for several years. In the future when Building "B" is built, the applicant will have to submit a Minor Water and Sewer Application and provide new performance guarantees that will cover Building "B" water and sewer connections since all the mains have been constructed.
6. The on-site 8" water mains, fire hydrants and building water services, and both the on-site and off-site (crossing Rt. 34) 8" sewer mains, manholes and building laterals will remain privately owned and not maintained by the Authority.
7. There is currently approximately a \$4,130 credit remaining in the water escrow account as of May 31, 2023. This water escrow account will be drawn upon during the closeout of the project, with the balance returned to the Applicant. If any shortfall occurs in this water escrow account during the closeout of this project, it can be paid for from the remaining Water Cash Bond with the permission of the Applicant.
8. There is currently approximately a \$3,460 shortfall in the sewer escrow account as of May 31, 2023. This and any additional shortfall that occurs in this sewer escrow account during the closeout of this project can be paid for from the Sewer Cash Bond with the permission of the Applicant.

Mr. Roy said that based on the status of this application, he recommends a conditional release of the Water Performance Guarantee.

Mr. Roy said that in addition, he recommends conditional release of the Sewer Performance Guarantee.

Attorney Jacobs said that a motion is needed for a resolution for conditional release of the Performance Guarantee for Water Application No. W19-680 subject to the comments and conditions set forth in Mr. Roy's letter of July 12, 2023.

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

There was no discussion.

The roll call vote was as follows:

|         |  |          |  |
|---------|--|----------|--|
| Ayes:   | Greenberg, Razzoli, Blair, Weber, Walker |          |  |
| Nays:   | None                                     |          |  |
| Absent: | None                                     |          |  |
| 5 Ayes  | 0 Nays                                   | 0 Absent |  |

Attorney Jacobs said that a motion is needed for a resolution for conditional release of the Performance Guarantee for Application No. S19-538 subject to the comments and conditions set forth in Mr. Roy's letter of July 12, 2023.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes            0 Nays            0 Absent

#### **4. Khmelnitsky Building (W18-678, S18-537) One Year Extension of Minor Water and Sewer Approvals**

Mr. Roy reported that on February 19, 2020, the referenced applicant was granted Final Water and Sewer Approvals with Resolution Nos. D-13-20 and D-12-20 which were to expire within one (1) year if no construction took place within that one (1) year. The Covid-19 Health Emergency extended permit approvals beyond that time, however despite that, these approvals expired. The Applicant has now submitted a request for an extension of time of their Final Water and Sewer Approvals in accordance with our Rules and Regulations.

Mr. Roy said that the Khmelnitsky Building is a proposed 9,420 SF Office Building at the northeast corner of the intersection of Texas and Marlboro Roads across from the Madison Crossing at Birch Hill Development.

Mr. Roy said that the Applicant indicates that in addition to the Covid-19 Health Emergency, there were additional personal health issues that delayed the applicant of this project from proceeding with construction. They now anticipate construction to begin by December 1, 2023.

Mr. Roy said that he recommends that an extension of time from the end of the Covid-19 Health Emergency until February 19, 2024, be granted to this applicant for both of their Final Water and Sewer Approvals.

Attorney Jacobs clarified that this extension of time is from the Covid-19 Health Emergency until February 19, 2024.

Mr. Roy said yes, it is more than a year. He said that the health emergency was July 20, 2021.



Attorney Jacobs said that a motion is needed for a resolution granting an extension of the Minor Approval of Water Application No. W18-678 for Khmelnitsky Building.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

Attorney Jacobs said that a motion is needed for a resolution approving an extension of the Minor Approval of Sewer Application No. S18-537 for Khmelnitsky Building.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

**5. Furnish an Install a Boiler System on Hydro-Excavator, Award Contract No. S23-229**

Mr. Roy reported that we opened public bids to Furnish and Install a Boiler System on a Hydro-Excavator owned by the Authority. The lone bidder, Jet Vac Equipment LLC, has not taken any exceptions to its bid proposal.

Mr. Roy said that the Hydro-Excavator in the Sewer Division is used primarily for pumping out Sewer Pump Station Wet Wells and Sewer Manholes. With the retrofitting of a boiler system onto the existing hydro-excavation equipment, the Sewer Division will also be better capable of excavating soil during the winter months for sewer repairs to get more

quickly and efficiently to the broken sewer. The lateral cleaning kit will allow for cleaning of sewer laterals from within sewer mains.

Mr. Roy said that he recommends awarding this contract to the lowest responsible bidder, Jet Vac Equipment, LLC 195 Green Pond Road, Rockaway, New Jersey, for the bid price of \$33,075.00.

Attorney Jacobs said that a motion is needed for a resolution for awarding a Contract to Jet Vac Equipment, LLC for the bid price of \$33,075.00 to Furnish and Install a Boiler System on Hydro-Excavator.

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, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

#### **6. Laboratory Testing of Industrial Sewage, Award Contract No. S23-231**

Mr. Roy reported that we opened public bids for Laboratory Testing of Industrial Sewage. He said that the lowest bidder, Pace Analytical Services, LLC, has submitted unit prices that are on average one-hundred-and-seventeen-point six percent (117.6%) higher than the unit prices in last year's contract. The lowest bidder has not taken any exceptions on its bid proposal. Pace Analytical Services, LLC is a State Certified Laboratory and our current vendor.

Mr. Roy said that the services under this contract are for the testing of the sewage strength from the Authority's three (3) industrial customers for the purpose of billing, and the cost for the lab testing is added to each industry's bill. The lab also independently tests the Authority's sewage strength at various locations to verify our billings from MCUA.

Mr. Roy said that he recommends awarding this contract to the lowest responsible bidder, Pace Analytical Services, LLC, Ewing, New Jersey, for the unit prices bid.

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, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

**7. Madison Park Sewage Pump Station Rehabilitation,  
Evaluation Study Engineering Services to Alaimo  
Associates**

Mr. Roy reported that there is a need for rehabilitation of the Madison Park Sewage Pump Station. He said that the Madison Park Sewage Pump Station is located at the intersection of Bordentown and Ernston Roads on the same property as the Race (previously Gulf) gas station. This pump station was built in the mid 1960's when Old Bridge was originally converted from individual septic tanks to a sewage collection system. Although repairs have been made to this pump station over the years. The station itself and the basic equipment has surpassed its useful life.

Mr. Roy said that he received a proposal from Alaimo Associates dated July 5, 2023, for Engineering Services for an Evaluation Study of the Madison Park Sewage Pump Station that will include a Preliminary Design Report of recommended improvements and upgrades to the pump station. The cost estimate in the proposal to perform these engineering services is \$45,000. Once an evaluation has been completed for this sewage pump station, the Preliminary Design Report recommendations will be presented to the Commissioners for any further action.

Mr. Roy said that the dollar amount of these estimated fees appears to be reasonable. The fees are based upon an estimate of the number of hours required for the level of effort anticipated for each of the engineering tasks shown in their "Man Hours" table, all in accordance with their Consulting Engineering Agreement dated February 1, 2023.

Mr. Roy said that he recommends that Alaimo Associates be authorized to proceed with the Engineering Services of the referenced project in accordance with their July 5, 2023, proposal and their February 1, 2023, Consulting Engineering Contract.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

#### **8. Laurence Harbor Water Systems Improvements, Design Engineering Services to CME Associates**

Mr. Roy reported that the Commissioners previously authorized the design, award and then termination of this Contract for the Laurence Harbor Water System Improvements, Phase 1.

Mr. Roy said that the scope of the project has now been revised to include replacing all the water services within the roadway pavement as well as installing a new water main on streets with undersized water main. All the approximately 400 water services within the project scope of work will be completely replaced from the water main to the curb stop valve from either a six-inch (6") or eight-inch (8") water main. This will allow all the undersized water main of both two inch (2") and four-inch (4") to be abandoned. The project title has been changed to the Laurence Harbor Water System Improvements and Water Service Replacement.

Mr. Roy said that the project is being funded through the NJI-Bank low interest loan program. CME Associates has provided a proposal dated July 7, 2023, for the cost to design the new scope of work, modify the application with the NJI-Bank and obtain new permits for this project as follows:

1. Design Phase - \$254,887
2. NJI-Bank Coordination - \$12,048
3. Permit Coordination - \$7,522

Mr. Roy said that CME will provide the NJDEP and the NJ I-Bank with all the revised Planning Documentation and revised Construction Documents including Plans and Specifications necessary for them to review the project to grant NJDEP approval once again to advertise this project for public bids.

Mr. Roy said that the dollar amount of these estimated fees appears to be reasonable. The fees are based upon an estimate of the number of hours required for the level of effort anticipated for each of the engineering tasks shown in their "Man Hours" table, all in accordance with their Consulting Engineering Agreement dated February 1, 2023.

Mr. Roy said that he recommends that CME Associates be authorized to proceed with the Engineering Services to Design the change of scope, revise NJI Bank Planning Documents and apply for new permits in accordance with their July 7, 2023, proposal and their February 1, 2023, Consulting Engineering Contract.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

**9. Update to Water Division Rules and Regulations,  
Engineering Services to CME Associates**

Mr. Roy said that there is a need for Engineering Services to update the Water Division Rules and Regulations. The last update was in 2006 and they have become outdated due to the use of more modern construction materials, obsolete standards, and the need for record drawings to be compatible with the computerized GIS mapping system.

Mr. Roy said that CME Associates has provided a cost proposal to perform this Rules and Regulations update for the Water Division in their proposal dated July 5, 2023, for a total estimated cost of approximately \$56,700. This expense is in the Budget under line item #01-001-6040.

Mr. Roy said that he recommends that CME Associates be authorized to proceed with the Water Division Rules and Regulations update in accordance with their July 5, 2023, proposal and their February 1, 2023, Consulting Engineering Contract.

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

There was no discussion.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes                      0 Nays                      0 Absent

**10. Update to Sewer Division Rules and Regulations,  
Engineering Services to R3M Engineering**

Mr. Roy said that there is a need for Engineering Services to update the Sewer Division Rules and Regulations. The last update was in 2006 and they have become outdated due to the use of more modern construction materials, obsolete standards, and the need for record drawings to be compatible with the computerized GIS mapping system.

Mr. Roy said that R3M Engineering has provided a cost proposal to perform this Rules and Regulations update for the Sewer Division in their proposal dated July 10, 2023, for a total estimated cost of \$35,300. This expense is in the Budget under line item #11-101-6040.

Mr. Roy said that he recommends that R3M Engineering be authorized to proceed with the Sewer Division Rules and Regulations update in accordance with their July 10, 2023, proposal and their February 1, 2023, Consulting Engineering Contract.

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

There was no discussion.

The roll call vote was as follows:

Ayes:                      Greenberg, Razzoli, Blair, Weber, Walker

Nays:                      None

Absent:                      None

5 Ayes                      0 Nays                      0 Absent

Mr. Roy said that concludes his report.

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

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes                      0 Nays                      0 Absent

Financial Report: Michelle Smith, Comptroller

Mrs. Smith said that Chris Volk, our Insurance Agent, presented her with two checks in the amount of \$39,365.44 and \$25,240.79 which represents the 2020-2021 and 2021-2022 Dividend from the Selective Insurance Company Municipal Pool. She said that this is for our Commercial Liability and Workers' Compensation Policies.

Mrs. Smith said that is all that she has.

Chairman Walker asked if anyone had any questions for Mrs. Smith?

There were none.

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

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

Bills & Claims: Dr. Greenberg said that the bills and claims for this month are for a total amount of \$2,124,301.29.

A motion to approve the bills and claims in the amount of \$2,124,301.29 was made by Mr. Razzoli and seconded by Mr. Casserly.

There was no discussion.

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

Legal Report: Mitchell B. Jacobs, Esq.

Attorney Jacobs said he did not have a report.

Old Business: None

New Business: Mr. Razzoli said that he would like to change the October 18, 22023, Meeting from 7:00 p.m. to 11:00 a.m. and advertise for public notice.

Mr. Razzoli said that he would like to put on the next agenda to amend our resolution to address people who are taking health benefits who were never employed here. He said that he thinks that it is something that should be addressed, and it is costing the Authority a lot of money. He said, quite frankly, if you were not employed here, you should not be entitled to it. Mr. Razzoli asked the individuals who will be affected by this amendment to please come to the next meeting and address the Board and the employees who pay the cost of health care. He said that he would like to be enlightened on why in fact they feel that they are entitled to this benefit. Mr. Razzoli said that he would like this on the next agenda.

Chairman Walker asked if anyone else had anything to discuss under New Business?

Mr. Weber said yes that he does. He said that he would like to make a motion to go into Executive Session on a matter of potential litigation. He said that it is based on what Mr. Razzoli said about false information about the quality of the Authority's water.

Attorney Jacobs said that there is no pending litigation, so we cannot talk about it. He said that at the next meeting the Chairman sets the agenda; and if he wants it on, it can be placed on the agenda.

Attorney Jacobs said that a change of time for the October 18, 2023, Meeting date is being changed from 7:00 p.m. as previously scheduled to 11:00 a.m. He said that a motion is needed to pass a resolution to modify that meeting time, and to publicize it accordingly.

A motion to change the October 18, 2023, meeting time from 7:00 p.m. to 11:00 a.m. was made by Mr. Razzoli and seconded by Mr. Casserly and to be advertised.

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

Open to Public: Chairman Walker opened the meeting to the public at 11:49 a.m.

Chairman Walker said it is limited to a maximum period of three minutes per person. Seeing no hands, he closed the public portion.

Executive Session: There was no Executive Session.



Adjournment: A motion to adjourn was made by Mr. Razzoli and seconded by Mr. Casserly.

The voice vote was as follows:

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes          0 Nays          0 Absent

The meeting was adjourned at 11:50 a.m.

Respectfully submitted,



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Mark Razzoli, Secretary