

**OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
AUGUST 16, 2023**

Call to Order: The Regular Meeting of August 16, 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 21, 2023, and in the Home News Tribune on January 22, 2023. 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).

This Public Meeting is being recorded.

Roll Call:

Present:

Bruce Walker, Chairman  
Frank Weber, Vice Chairman  
Anita Greenberg, Treasurer (Arrived at 11:08 a.m.)  
Mark Razzoli, Secretary  
James Blair, Commissioner  
Thomas Galante,  
Edward Casserly, Second 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 we are going to have several items to discuss in Executive Session which will include contract negotiations with Middlesex Water Company, the Authority's Policy on Health Benefits, and some water quality standards of the Authority, which is a subject in the public, so we want to address that as well. He also said that we will discuss the salary resolution that goes along with the organizational charts.

Mr. Donatelli said that he along with Attorney Jacobs and Michelle Smith worked through the resolution, the salary guide, and the ranges for the different positions. He said that some of the positions are contract positions, like mine, Mike Roy's, and Michelle Smith's. Mr. Donatelli said that some are negotiated when you are bringing someone in for Health & Human Resources or something like Payroll. He said that the

Superintendents and those that are underneath are all identified. Mr. Donatelli said that Attorney Jacobs will discuss that in his report.

### **Approval to Advertise for an Annual Contract for Chemical Supplies for the Water Division**

Mr. Donatelli said that the only other item that he has is that we need to advertise an Annual Contract for Water Division Chemical Supplies. He said that three of the four vendors of the Annual Chemical Contract were unwilling or did not respond to extending their contract prices based on the percentage increase of (2%) which is the NJDCA Index Rate from the latest completed quarter. He said that this will now require us to advertise a new contract for public bids for bagged lime, DelPAC and sodium hypochlorite.

Mr. Donatelli said that we intend to prepare the Contract Document in-house and submit them to Attorney Cleary's office for his review and approval to have a bid opening date scheduled for presentation to the Commissioners to award this material contract at a future Board Meeting.

Mr. Donatelli said that we did not sell a lot of water this month. He said that it was almost 2 ½ million gallons less per day but it equated directly to our purchasing less from Middlesex Water Company. Mr. Donatelli said that we got all our water out of the ground and said that it was a good job done by Ray Totten in managing this.

Mr. Donatelli said that is all that he has unless there are any questions.

There were none.

Attorney Jacobs said that a motion is needed to advertise for the Annual Contract for Chemical Supplies for the Water Division.

Mr. Razzoli made a motion for approval to advertise for an Annual Contract for Chemical Supplies for the Water Division. It was 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 to approve the Executive Director's Report.

Dr. Greenberg made a motion to accept the Executive Director's Report. It was seconded by Mr. Razzoli.

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 did not have anything for the Chairman's Report.

Chairman Walker said that he received a thank you card from the Donatelli Family from the recent passing of Mrs. Donatelli.

Previous Minutes: **Regular Meeting – April 19, 2023**

Chairman Walker asked if anyone had questions on the April 19, 2023 Regular Meeting Minutes?

There were none.

A motion to approve the Regular Meeting Minutes of April 19, 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

**Executive Session – April 19, 2023**

Chairman Walker asked if there were any questions on the Executive Session Minutes of April 19, 2023?

There were none.

A motion to approve the Executive Session Minutes of April 19, 2023 were made by Mr. Razzoli and seconded by Mr. Weber.

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

Superintendent's  
Report:

Walter E. Gillins, Superintendent – Sewer Division

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

Dr. Greenberg said that there were not many complaints from the residents this month. She said that is good.

Chairman Walker asked if anyone had any questions for the Superintendent?

There were none.

A motion to accept the Mr. Gillins' Superintendent's Report was made by Dr. Greenberg and seconded by Mr. Razzoli.

All Commissioners were in favor.

No Commissioners were opposed.

5 Ayes            0 Nays            0 Absent

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

### **1. Vista at Old Bridge LP/The Vista at Old Bridge W22-704, Final Water – 73 Apartments + 5 EDCU Clubhouse =78 EDCU's**

TYPE: RESIDENTIAL APARTMENTS

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 1,200 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. There is no pool facility in the Clubhouse.

### **COMMENTS:**

1. The Inspection Fee and Outside Professional Review Fee are due prior to the Pre-Construction Meeting.
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 Tentative Approval on February 15, 2023. 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. Applicant has acknowledged that all proposed off-site and on-site

water mains and fire hydrants will remain privately owned and maintained by the Applicant.

6. 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.
7. The Applicant shall provide proof of title when available showing that it is the owner of the property.
8. Technical requirements sufficient for Final Water Approval have been satisfied.
9. A copy of this report has been supplied to the Contact Person of the Applicant as listed on the application form.
10. Recommend Final Water Approval subject to the following twelve (12) conditions:

**CONDITIONS:**

1. Applicant shall pay all applicable fees.
2. The Applicant shall comply with and address all comments in this Engineer's Report dated August 16, 2023.
3. All proposed off-site and on-site water mains shall remain privately owned and maintained by the Applicant.
4. Fire service line size and number of sprinkler heads for each building shall be provided to this Authority as soon as available.
5. The Applicant shall coordinate the utility plans approved under this application with the architectural design of this commercial building as it relates to the water 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 water utility construction which incorporates all requirements of both the Authority and the Township Approvals (including a water maintenance plan) prior to the pre-construction meeting.
8. Wet cut fee, Performance Guarantee, Certificate of Insurance, and proof of all required permits shall be provided prior to the pre-

construction meeting.

9. Lawn irrigation is not included in the approval. If a lawn irrigation system using municipal water is proposed in the future, the plan must be submitted to the Authority for approval.
10. The Applicant shall construct the water improvements in accordance with the Approved Drawings and permits issued by any Agency having jurisdiction.
11. Applicant to fully comply with the Rules and Regulations of the Authority and any Agency having jurisdiction.
12. This Final 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 said that the hold-up with this project was probably due to Covid.

Mr. Roy said that he recommends Final Water Approval as subject to the 12 Conditions in his report.

Attorney Jacobs said to let the record reflect that Commissioner Galante is present.

Attorney Jacobs said that a motion is needed for Final Water Approval for Application No. W22-704 subject to the Comments and the 12 Conditions set forth in Mike Roy's August 9, 2023, Report.

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

Dr. Greenberg said that she would like to make a comment. She said that it is truly unfortunate for a builder now and people purchasing things, since we know that cost of materials has gone up, and in this time with the interest rates; it is unfortunate in this climate that people are continuing to blame things on Covid. She said that it is just not Covid. Dr. Greenberg said it is the way things are managed, and it is affecting everybody's daily life. She said that the cost of things are astronomical, and it is just going to be a passed-through, so the consumer is the one who has the worst end of the deal.

Chairman Weber asked if anyone else had any comments?

There were none.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent

**2. Vista at Old Bridge, LP/The Vista at Old Bridge S22-554,  
Final Sewer – 73 Apartments + 5 EDCU Clubhouse = 78  
EDCU's**

TYPE: RESIDENTIAL APARTMENTS

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 Inspection Fee and Outside Professional Review Fee are due prior to the Pre-Construction Meeting.
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 Tentative Approval on February 15, 2023. 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 within the public right-of-way of Marlboro Road and the paper street of East Greystone Road will be dedicated to the Authority.



5. The size, slope and installation of the on-site sewer laterals are subject to approval by the Township Plumbing Sub-Code Official.
6. The Applicant shall provide proof of title when available showing that they are the owner of the property.
7. Technical requirements sufficient for Final Sewer Approval have been satisfied.
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 Sewer Approval subject to the following eleven (11) conditions:

**CONDITIONS:**

1. Applicant shall pay all applicable fees.
2. The Applicant shall comply with and address any and all comments in this Engineer's Report dated August 16, 2023.
3. There shall be no prohibited waste discharged into the sewer system including discharge from any HVAC system.
4. All proposed off-site eight-inch (8") sanitary sewer mains on Marlboro Road and the East Greystone Road easement between manholes SAN MH #7 to EX SAN MH will be dedicated to the Authority. All proposed on-site sewer mains and laterals will 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 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.
7. Performance Guarantee, Certificate of Insurance and proof of all required permits shall be provided prior to the pre-construction meeting.
8. Applicant to schedule a pre-construction meeting at least two (2) weeks prior to commencing any utility construction.

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 recommended Final Sewer Approval subject to the 11 conditions in his report.

Attorney Jacobs said that a motion is needed for Final Sewer Approval of S22-554 subject to the Comments and the 11 Conditions in Mike Roy's August 9, 2023, Report.

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

Chairman Walker asked if anyone had any comments?

There were none.

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. Annual Contract for Water and Sewer Supply Materials Contract No. WS23-232 Award Contract Sections**

Mr. Roy reported that bids were opened on August 8, 2023, for the Annual Contract for Water and Sewer Supply Materials, Contract No. WS23-232, which can be awarded in nine (9) different sections.

Mr. Roy said that we are up to nine sections now. He said that one of the new sections is for the check valves in our Sewer Pump Stations, and the other new section is for miscellaneous sewer materials that could add up to

over \$17,000 and push us over to the bidding threshold for the year, so we have unit prices to work with in that event.

Mr. Roy said that in general, things have calmed down in terms of pricing going up for the most part. He said that if you remember that piping two years ago went up 70%, and then last year it went up an additional 30%. Mr. Roy said that in two years, the cost of pipe went up 100%, and now we are seeing it come down a little bit, by 10% or so. It is not a tremendous amount, but at least we are not seeing these huge increases anymore.

#### Section 1 – Mueller Hydrants and Accessories

There were three (3) bidders for this section of the contract. The lowest bidder, Brent Material Company, submitted unit prices which are an average of eleven-point seven percent (11.7%) lower than the unit prices in last year's contract with Ferguson Waterworks which submitted this year an average of eight-point eight percent (8.8%) lower unit prices but still lost this section to Brent Material Company.

Mr. Roy recommended awarding Section No. 1 of this contract to the lowest responsible bidder, Brent Material Company of Florham Park, NJ, for the unit prices bid.

#### Section 2 – Kennedy Hydrants and Accessories

There was one (1) bidder for this section of the contract. The lone bidder, Core and Main, LP, submitted unit prices which are an average of fifty-six-point six percent (56.6%) higher than the unit prices in last year's contract with Core and Main, LP.

Mr. Roy recommended awarding Section No. 2 of this contract to the lowest responsible bidder, Core and Main, LP, of Edison, NJ for the unit prices bid.

Mr. Donatelli said that if we do completely replace a hydrant, since the Kennedy Hydrants have become so expensive, we will replace it with a Mueller Hydrant.

Mr. Roy said that he still recommends awarding this section to Core and Main for the unit prices on Kennedy Hydrant parts, and we can still make decisions on purchasing from Core and Main, LP for parts based on their prices.

#### Section 3 - Service Materials

There was one (1) bidder for this section of the contract. The lone bidder, Ferguson Waterworks, submitted unit prices which are an average of eight-point five percent (8.5%) higher than the unit prices in last year's contract with Ferguson Waterworks.

Mr. Roy recommended awarding Section No. 3 of this contract to the lowest responsible bidder, Ferguson Waterworks of Howell, NJ for the unit prices bid.

#### Section 4 - Repair Clamps, Bolted Couplings & Solid Sleeves

There were (2) bidders for this section of the contract. The lowest bidder, Ferguson Waterworks, submitted unit prices which are an average of three- point nine percent (3.9%) higher than the unit prices in last year's contract with Core and Main, LP. Core and Main's bid proposal this year on Section 4 is considered "non-responsive" because they did not list a unit price for every item within Section 4 as instructed by the Contract Documents.

Mr. Roy recommended awarding Section 4 of this contract to the lowest responsible bidder, Ferguson Waterworks, of Howell, NJ for the unit prices bid.

#### Section 5 - Piping

There were four (4) bidders for this section of the contract. The lowest bidder, Ferguson Waterworks, submitted unit prices which are an average of thirteen-point two percent (13.2%) lower than the unit prices in last year's contract with Ferguson Waterworks.

Mr. Roy recommended awarding Section 5 of this contract to the lowest responsible bidder, Ferguson Waterworks, of Howell, NJ for the unit prices bid.

#### Section 6 – Valves and Accessories

There were three (3) bidders for this section of the contract. The lowest bidder, Brent Material Company, submitted unit prices which are an average of thirteen-point three percent (13.3%) lower than the unit prices in last year's contract with Ferguson Waterworks which submitted this year an average of twelve-point three percent (12.3%) lower unit prices but still loss this section to Brent Material Company. Core and Main's bid proposal this year on Section 6 is considered "non-responsive" because they did not list a unit price for every item within Section 6 as instructed by the Contract Documents.

Mr. Roy recommended awarding Section 6 of this contract to the lowest responsible bidder, Brent Material Company of Florham Park, NJ, for the unit prices bid.

#### Section 7 – Specialty Check Valves

There was one (1) bidder for this section of the contract. The lone bidder, Core and Main, LP submitted unit prices that are an average of twenty-one-point seven percent (21.7%) higher than the unit prices in last year's contract with Core and Main, LP.

This section provides pricing and a procurement method to purchase check valves in case of check valve failures occurring within the thirty-five (35)

sewer pump stations of the Authority without the necessity of declaring an emergency.

Mr. Roy recommended awarding Section 7 of this contract to the lowest responsible bidder, Core and Main, LP of Edison, NJ for the unit prices bid.

Mr. Roy said that if we should need this, this Contract is in place; so we do not have to declare an emergency.

Section 8- Tapping Sleeves and Valves

There was one (1) bidder for this section of the contract. The lone bidder, Ferguson Waterworks, submitted unit prices which are an average of eleven-point zero percent (11.0%) lower than the unit prices in last year's contract with Ferguson Waterworks.

Mr. Roy recommended awarding Section 8 of this contract to the lowest responsible bidder, Ferguson Waterworks of Howell, NJ for the unit prices bid.

Section 9- Sewer Service Materials

There was one (1) bidder for this section of the contract. The lone bidder, Ferguson Waterworks, submitted unit prices for this new section of the contract. The items in this section will be purchased for use in the Sewer Division operations.

Mr. Roy recommended awarding Section 9 of this contract to the lowest responsible bidder, Ferguson Waterworks of Howell, NJ, for the unit prices bid.

Mr. Roy said Raritan Group did not win anything. There were four bidders.

Mr. Roy summarized his recommendations of awarding the various sections of the contract to Brent Material Company of Florham Park, NJ, for Sections 1 and 6; Core and Main, LP of Edison, NJ, for Sections 2 and 7; and Ferguson Waterworks of Howell, NJ for Sections 3,4,5,8 and 9.

Attorney Jacobs said that we need a motion for a resolution to award the Water and Sewer Supply Materials Contract with 9 difference sections in accordance with the recommendations of Mike Roy as he has just set forth on the record.

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

Chairman Walker asked if there was any discussion?

There was none.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays:           None  
Absent:         None  
5 Ayes         0 Nays         0 Absent

**2. Laurence Harbor Water System Improvements and Water Services Replacement, Authorization to Advertise for Public Bids and Bid and Construction Services to CME. (Formally the “Laurence Harbor Water System Upgrade – Phase 1”)**

Mr. Roy reported that last month the Board authorized design services to CME Associates to design the new scope of work, obtain new permits and modify the application with the NJ I-Bank for the referenced project in response to the attached NJDEP contract termination concurrence letter with Lucas Brothers requiring that any changes in the previously approved Contract Documents be again reviewed and approved by their office for a new Authorization to Advertise (ATA).

He further stated that the Commissioners also previously authorized Bid Phase and Engineering Services During Construction to CME Associates in 2019 with the attached Resolution No. M-66-19. All the Bid Phase authorization was spent when this project was previously awarded to Lucas Brothers, as well as most of the Engineering Services During Construction authorization when the Contract was later terminated with Lucas Brothers.

CME has now submitted the new Contract Documents to the NJDEP for their approval and issuance of an ATA which will be issued very shortly, and most likely this month. In anticipation of the ATA from the NJDEP, Mr. Roy is requesting that the Board authorize the public advertisement of this project for public bids once we receive the ATA from the NJDEP.

The scope of the project now involves the replacement of approximately 285 water services with all new services within the roadway pavement and being connected to the existing six-inch (6”) and eight-inch (8”) diameter water mains located in various streets within the Laurence Harbor Section of Old Bridge as well as installing new eight-inch (8”) water main on streets that have no large water mains. By removing the water services from the existing break-prone two-inch (2”) and four-inch (4”) diameter water mains it will allow for their future abandonment.

Mr. Roy stated that CME Associates submitted a proposal dated August 8, 2023, for Engineering Services for the Bid and Construction Phases of the referenced project that has now been redesigned with a new scope of work. CME Associates has provided estimates of engineering fees on their attached "Project Outline" of the proposal as follows:

1. Bid Phase - \$11,084.00
2. Engineering Services During Construction - \$60,628.00

The Construction Inspection that was previously authorized in 2019 in the amount of \$162,000.00 is still adequate to proceed with this project, so additional Construction Inspection authorization is not required.

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, all in accordance with CME's Consulting Engineering Agreement dated February 1, 2023. The project duration is anticipated to be six (6) months of actual construction, with an overall contract time of approximately twelve (12) months.

The Engineer's Estimated Construction Cost for this project is approximately \$3.7 million dollars. This project will be included in the NJ I-Bank list of projects to be funded.

Mr. Roy recommended that the Authority authorize that this project be advertised for public bids once the NJDEP issues their ATA.

He also recommended that CME Associates be authorized to proceed with the Bid and Construction Phases of the referenced project in accordance with the August 8, 2023, proposal and their February 1, 2023, Consulting Engineering Contract.

A motion to authorize advertisement for public bids for the Laurence Harbor Water System Improvements and Water Services Replacement and authorization to proceed with the Bid and Construction Phases to CME Associates in accordance with their August 8, 2023, proposal and their February 1, 2023, Consulting Engineering Contract was made by Mr. Galante and seconded by Dr. Greenberg.

Chairman Walker asked if there was any discussion.

There was none.

The roll call vote was as follows:

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

5 Ayes      0 Nays      0 Absent



### **3. 143 Ticetown Road Property – NJDEP Pre-Application to Relocate Groundwater Allocation, Engineering Services to CME**

Mr. Roy reported that there is a need for Engineering Services to perform pre-application work to the NJ Department of Environmental Protection (NJDEP) for the relocation of the Authority's groundwater allocation associated with the four (4) wells at the Browntown Water Treatment Plant (BTWTP) that will include the installation of two (2) monitoring wells and associated hydrogeologic and water quality monitoring at the site of the approximately fourteen (14) acre property located at the address of 143 Ticetown Road.

The NJDEP requires that we demonstrate two points: that the groundwater elevations be close to or higher than the groundwater elevations and that the chloride levels in the water be equal or less than that of the existing wells at the BTWTP site. Since there are two (2) different groundwater aquifers at different depths, two (2) monitoring wells of depths between 300 and 500 feet below the surface will be required. The monitoring wells will look similar to the attached photo of the monitoring wells that we installed at the Authority property on Englishtown Road.

During installation, soil samples will be taken for analysis to set the proper elevations for the two monitoring wells and the future design of the production wells. Following installation of the wells, the groundwater elevations will be monitored, water samples will be taken and tested, and further coordination and pre-application meetings will be held with NJDEP to obtain their direction and requirements for relocating the BTWTP production wells. The two monitoring wells to be installed will be used in the future for the installation, testing and monitoring of the relocated production wells.

CME has provided a cost proposal to install two monitoring wells, conduct monitoring and testing, and the work with NJDEP to obtain direction regarding August 8, 2023, for a total estimated cost of \$235,874.00. CME intends to work with a Sub-Consultant, M<sup>2</sup> Associates, Inc., for their expertise with hydrological work, coordination with the NJDEP and with Uni-Tech Well Drillers to install the monitoring wells.

Mr. Galante asked how many feet they were going down.

Mr. Roy said that they need to drill into two different aquifers. He said one is 300 feet deep and the other one is 500 feet deep.

Mr. Galante said that sounds like a lot of money for that.

Mr. Donatelli said that it is not linear feet for aquifers. The first hundred feet if you are saying \$100 a foot, it does not continue at that price. He said the deeper you go, the more expensive it starts getting.

Mr. Donatelli asked Ed Traina from CME to address the borings issue.



Mr. Traina said it is \$80,000 for the borings, and \$30,000 for the wells.

Mr. Roy said that it is about \$112,000 for Uni-Tech, a subcontractor, and M<sup>2</sup> Associates oversight of them because they are hiring the driller, doing a soils report and three months of monitoring it. Mr. Roy said that M<sup>2</sup> Associates is adding another \$60,000 which totals about \$172,000 for M<sup>2</sup> Associates and Uni-Tech.

Mr. Roy said CME brought this \$172,000 into their proposal.

Mr. Roy said CME will be meeting with the NJDEP, which brings CME's project total to \$36,368 for total labor costs.

Mr. Traina said that it is not just a regular soil boring.

Mr. Roy said that he recommends that CME Associates be authorized to proceed with the work to perform a pre-application submission to the NJDEP to relocate the groundwater allocation from the four (4) existing wells at the BTWTP that includes installing two (2) monitoring wells on the property of 143 Ticetown Road property in accordance with their August 8, 2023, proposal and their February 1, 2023, Consulting Engineering Contract.

Attorney Jacobs asked Mr. Traina if the \$235,874 includes M<sup>2</sup> Associates, and that M<sup>2</sup> Associates are providing services to CME Associates not the OBMUA?

Attorney Jacobs said reading the letter from M<sup>2</sup> Associates it says M<sup>2</sup> Associates appreciates the opportunity afforded by CME Associates and OBMUA to provide this proposal.

Attorney Jacobs said for clarification CME is subcontracting with M<sup>2</sup> Associates as part of what you normally do in this type of situation. He said OBMUA does not have anything to do directly with them.

Mr. Roy said M<sup>2</sup> Associates is a subcontractor and the driller, Uni-Tech is a sub-subcontractor.

Mr. Traina, CME Associates, said CME is subcontracting, not the OBMUA. He said M<sup>2</sup> Associates is retaining Uni-Tech as a subcontractor.

Attorney Jacobs said the Authority would not be hiring a company like M<sup>2</sup> Associates directly; but this is something that CME typically does in this type of situation where they put in their bid and contract with someone.

Mr. Roy said that he provided all the cost breakdown for transparency, so you could see where the numbers came from.

Attorney Jacobs said that he understands that, but he did not like the language in the letter saying that M<sup>2</sup> Associates is providing services to the OBMUA. Attorney Jacobs said that CME is subcontracting with M<sup>2</sup> Associates, not OBMUA, and he wants to make that clear for the record.

Attorney Jacobs said a motion is needed to approve the engineering services for 143 Ticetown Road Property – NJDEP Pre-Application to Relocate Groundwater Application Engineering Services to CME as described by Mr. Roy in his August 9, 2023, report with the understanding that M<sup>2</sup> Associates is going to be a subcontractor of CME Associates, not the OBMUA.

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

Mr. Roy said he has nothing else to report.

A motion to accept Mr. Roy's report was made by Dr. Greenberg and seconded by Mr. Razzoli.

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 attached to her report is a resolution authorizing the auction of two vehicles, a 1990 Dump Truck and a 2013 E-350 Van as surplus equipment on GovDeals.com. She said that both of these vehicles are in the Sewer Division and are no longer in use. Mrs. Smith said that they have excessive mileage and parts are difficult to get. She said that they are in need of various repairs and exceed their value.

A motion for authorization to auction off one 1990 Dump Truck and one 2013 E-350 van as Surplus Vehicles on Gov.Deals.com 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

Mrs. Smith said that is all that she has to report.

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

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 the Bills and Claims for this month are for a total of \$3,258,007.35.

A motion to approve the Bills and Claims in the amount of \$3,258,007.35 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.

### **Management Positions Salary Ranges**

Attorney Jacobs said that he has one item to report. He said that Mr. Donatelli mentioned it in his Executive Director's Report.

Attorney Jacobs said to retain good employees, there should be a salary policy for management level employees. He said that most of the employees are covered by collective bargaining. Attorney Jacobs said that this salary policy pertains to those employees not covered by the CBA and employees that are management level only. There are certain employees

that aren't covered by the CBA that are not management employees. He said that usually the salary of those employees is left up to the discretion of the Executive Director. He said that to give the Executive Director more flexibility to be able to entertain new employees who are fit into those management positions or retain employees in management positions that some other authorities looking to poach them or whatever, Mr. Donatelli thought there should be a salary range for management employees. He said certain management employees are governed by individual contracts, and those employees would be the Executive Director, Assistant Executive Director, Engineer, Assistant Engineer, and the Comptroller. He said that the Accountant/Health Benefits Administrator is salary based on what the Executive Director thinks that person should receive. Attorney Jacobs said that these are all subject to approval by the Board. He said that there were certain positions where there was no guidance for the Executive Director as to salary, so those positions would be Water Division Superintendent of Distribution, Water Division Superintendent of Treatment, Sewer Division Superintendent, Sewer Division Deputy Superintendent, Water Division Meter and Maintenance Foreman, Water Division Chief Operator, Water Distribution Supervisor, Sewer Division Foremen, and Accounts Payable. He said that this policy sets forth a salary range so increases in salary can be afforded, and someone from outside would probably start at the lower level of the salary range, and someone promoted from the inside might start somewhere within the salary range. It is just a recognition of all those factors.

Attorney Jacobs passed out a copy of the proposed resolution to the Commissioners to see the salary ranges. The Water Division Superintendent - Distribution is \$157,000 to \$183,000. He said that the Water Division Superintendent - Treatment and the Sewer Division Superintendent and the Sewer Division Deputy Superintendent and the Water Meter and Maintenance Foreman is \$145,00 to \$169,00, Sewer Deputy Superintendent is \$140,000 to \$163,000, Chief Operator is \$130,000 to \$151,000 and Water Distribution Supervisor is \$130,000 to \$151,000, Sewer Foreman is \$120,000 to \$140,000, and the Billing Supervisor Accounts Payable is \$80,000 to \$93,000.

He said that those are the figures that both Guy Donatelli and Michelle Smith came up with. Attorney Jacobs said this policy should be looked at on a yearly basis as the trend is for salaries of certain positions. He said that one reason for this is that we keep employees and give some incentive to the Executive Director to negotiate salaries in the event if another authority tried to poach employees, and it gives him that flexibility, and the other one if you need new employees, you want to stay competitive with some of the other authorities, and this gives some latitude to the Executive Director to be able to entertain hiring new management employees and have some authority as to what the salary range is to discuss with that new employee.

Attorney Jacobs said that the increase would be on June 1<sup>st</sup> of each year, and the increase will not exceed the annual increase that is afforded to the other employees covered under the CBA.

Mr. Donatelli said that is how it has been historically for the last twenty-five years.

Attorney Jacobs said that is basically what the salary policy is. He asked if anyone had any questions?

Mr. Weber said the only question that he had is when someone is trying to poach, do we have any idea what the benefits cost them for each employee?

Attorney Jacobs said that depends upon the authority. He said that the salary also depends on the Authority. He said that if you have an Authority up in North Jersey, the salaries would be higher than in the middle of the state, and the middle of the state will be higher than the southern part of the state. Attorney Jacobs said it doesn't always work that way. He said that the benefits that are given by this Authority, from what I know, can be competitive and might even be a carrot to dangle. Attorney Jacobs said that this Authority provides good benefits for its employees. He said he hopes this answers the question.

Mr. Weber said yes.

Attorney Jacobs said a motion is needed to adopt a policy to set base salaries and wages for certain management employees.

A motion was made by Mr. Razzoli and seconded by Mr. Casserly to adopt the Management Resolution.

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 concludes his Legal Report.

Attorney Jacobs said we will have several issues to discuss in closed session. He said when we get there, he will announce them.

Old Business: None

New Business: Mr. Razzoli said that he would like to change the January 2024 and February Meetings in 2024 to 11:00 a.m. instead of 7:00 p.m., and to have this advertised.

Attorney Jacobs said that this time seems to be working out, and there is good attendance.

Mr. Donatelli said to just change the January 2024 and the Reorganization Meeting in February 2024. He said that then we will set the meeting schedule for the rest of the year.

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

The voice vote was as scheduled.

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, and said it is limited to a maximum period of three minutes per person.

Seeing no public, Chairman Walker closed the public portion.

Executive Session: Attorney Jacobs said from this point forward, he is going to read into the record a resolution authorizing the public to know what we will be discussing in closed session.

Attorney Jacobs read a resolution authorizing the Executive Session to be held without the public being permitted. He said there are four issues that will be discussed in closed session. The Board will be going into Executive Session at approximately 11:58 a.m. He said of those nine exceptions, we are going to be discussing:

Contract Negotiations with Middlesex Water Company  
Potential Litigation with Middlesex Water Company  
Potential Litigation for Defamation  
Attorney-Client Privilege Discussion Regarding Health Benefits

Attorney Jacobs said that we expect to be in closed session for approximately a half hour. He said that he does not know if we will be taking any action when we come out; we may, so if anyone wants to stay until we come out, they may.

A motion to go into Executive Session 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

Resumption of Executive Session:

The Board returned to public session at 12:21 p.m.

Adjournment:          A motion to adjourn the meeting was made by Mr. Weber 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 12:21 p.m.

Respectfully submitted,

Mark Razzoli, Secretary

