

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. D-62-23

WATER DIVISION

RESOLUTION

**WHEREAS**, New Private Restaurant Properties, LLC has applied to the Old Bridge Municipal Utilities Authority for Tentative Approval in connection with its Water Application No. W22-708 known as Outback Steakhouse located at the existing Outback Steakhouse restaurant on the northbound side of Route 9 between Perrine Road and Route 34; and

**WHEREAS**, the Applicant proposes construction of approximately 260 L.F. of six-inch (6") D.I.P. water mains to service the redevelopment of the existing Outback Steakhouse that will now accommodate a 187-seat restaurant/bar; and

**WHEREAS**, the Staff Engineer has reviewed the project and the reports submitted, and has recommended Tentative Approval in accordance with his report dated November 9, 2023; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority ("OBMUA") that the Application for Tentative Approval in connection with Water Application No. W22-708, known as Outback Steakhouse be and the same is hereby granted subject to the following conditions:

- (1) The Applicant shall pay all applicable fees.
- (2) All comments in the Staff Engineer's report dated November 9, 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 this resolution or as otherwise extended by law. Submission of a Final application shall extend this approval by one (1) year.

**BE IT FURTHER RESOLVED** this resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller; and the Applicant.



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Mark Razzoli, Secretary

Motion by: Mark Razzoli  
Second by: Anita Greenberg  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2393.RES

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. D-63-23

SEWER DIVISION

RESOLUTION

**WHEREAS**, New Private Restaurant Properties, LLC has applied to the Old Bridge Municipal Utilities Authority for Tentative Approval in connection with its Sewer Application No. S22-555 known as Outback Steakhouse located at the existing Outback Steakhouse restaurant on the northbound side of Route 9 between Perrine Road and Route 34; and

**WHEREAS**, the Applicant proposes construction of approximately 290 L.F. of eight-inch (8") D.I.P. sewer main to service the redevelopment of the existing Outback Steakhouse that will now accommodate a 187-seat restaurant/bar; and


**WHEREAS**, the Staff Engineer has reviewed the project and the reports submitted, and has recommended Tentative Approval in accordance with his report dated November 9, 2023; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority ("OBMUA") that the Application for Tentative Approval in connection with Sewer Application No. S22-555 known as Outback Steakhouse be and the same is hereby granted subject to the following conditions:

- (1) The Applicant shall pay all applicable fees.
- (2) All comments in the Staff Engineer's report dated November 9, 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 this resolution or as otherwise extended by law. Submission of a Final application shall extend this approval by one (1) year.

**BE IT FURTHER RESOLVED** this resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller and the Applicant.



Mark Razzoli, Secretary

Motion by: Mark Razzoli  
Second by: Frank Weber  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2394.RES



OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. D-64-23

WATER DIVISION

RESOLUTION

**WHEREAS**, Brixmor Old Bridge, LLC has applied to the Old Bridge Municipal Utilities Authority for release of its Performance Guarantee (Surety Bond No. K40284175), issued by Federal Insurance Company of Indiana, in the amount of \$13,630.32 in connection with its Water Application No. W20-694 known as Brixmor Grocery Gateway Shopping Center; and

**WHEREAS**, the Staff Engineer has reviewed the project and recommends release of the Performance Guarantee, as set forth in his letter dated October 31, 2023, conditioned upon the following:

1. Payment of any shortfall in the water escrow account.
2. The constructed water mains, fire hydrant and water service lines will be privately owned and not maintained by the Authority.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that Performance Guarantee, Surety Bond No. K40284175, issued by Federal Insurance Company of Indiana, in the amount of \$13,630.32 be released in accordance with the Staff Engineer's report dated October 31, 2023;

**BE IT FURTHER RESOLVED** that this Resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller, and the Applicant.

  
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Mark Razzoli, Secretary

Motion by: Anita Greenberg

Second by: Mark Razzoli

Ayes: Greenberg, Razzoli, Blair, Weber, Walker

Nays: None

Absent: None

Dated: November 13, 2023

OBMUA2395.RES

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. D-65-23

SEWER DIVISION

RESOLUTION

**WHEREAS**, Brixmor Old Bridge, LLC has applied to the Old Bridge Municipal Utilities Authority for release of its Performance Guarantee, Surety Bond No. K40284163 issued by Federal Insurance Company of Indiana in the amount of \$12,007.71 in connection with its Sewer Application No. S20-546 known as Brixmor Grocery Gateway Shopping Center; and

**WHEREAS**, the Staff Engineer has reviewed the project and recommends release of the Performance Guarantee, as set forth in his letter dated October 31, 2023, conditioned upon the following:

1. Payment of any shortfall in the sewer escrow account.
2. The constructed sewage pump station chambers and equipment, sewer laterals and force mains will remain privately owned and not maintained by the Authority.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that Performance Guarantee, Surety Bond No. K40284163 issued by Federal Insurance Company of Indiana, in the amount of \$12,007.71 be released in accordance with the Staff Engineer's report dated October 31, 2023;

**BE IT FURTHER RESOLVED** that this Resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller, and the Applicant.

  
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Mark Razzoli, Secretary

Motion by: Mark Razzoli  
Second by: Anita Greenberg  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2396.RES

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. D-66-23

WATER DIVISION

RESOLUTION

**WHEREAS**, K. Hovnanian at Old Bridge II, LLC has applied to the Old Bridge Municipal Utilities Authority for reduction of its Performance Bond (Bond No. LICX1212154), issued by Lexon Insurance Company, in the amount of \$284,638.86 as well as the cash portion of its Performance Guarantee (Check No. 138184) in the amount of \$31,626.54 in connection with the Oaks at Glenwood, Phase 1B project, Water Application No. W86-284B; and

**WHEREAS**, the Staff Engineer has reviewed the project and has determined that the Applicant has completed installation of the water main for Phase 1B and recommends reduction of the Performance Bond and Performance Guarantee conditioned upon the payment of the outstanding water escrow payment, as set forth in his report dated November 6, 2023; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that Performance Bond No. LICX1212154 in the amount of \$284,638.86 be reduced to the amount of \$85,391.66 as well as the reduction of the cash portion of the performance guarantee from \$31,626.54 to the amount of \$9,487.96 representing a 70% reduction in accordance with the Staff Engineers report dated November 6, 2023; and

**BE IT FURTHER RESOLVED** that this resolution ratifies action taken by the Authority on November 13, 2023.

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller and the Applicant.

  
Mark Razzoli, Secretary

Motion by: Mark Razzoli  
Second by: James Blair  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2397.RES



OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. D-67-23

SEWER DIVISION

RESOLUTION


**WHEREAS**, K. Hovnanian at Old Bridge II, LLC has applied to the Old Bridge Municipal Utilities Authority for reduction of its Performance Bond (Bond No. LICX1212153), issued by Lexon Insurance Company, in the amount of \$313,644.87 as well as the cash portion of its Performance Guarantee (Check No. 138183) in the amount of \$34,849.43 in connection with the Oaks at Glenwood, Phase 1B project, Sewer Application No. S86-208B; and

**WHEREAS**, the Staff Engineer has reviewed the project and has determined that the Applicant has completed installation of the sanitary sewer main for Phase 1B and recommends reduction of the Performance Bond and Performance Guarantee conditioned upon the payment of the outstanding escrow payment as set forth in his report dated November 6, 2023;

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that Performance Bond No. LICX1212153, issued by Lexon Insurance Company in the amount of \$313,644.87 be reduced to the amount of \$94,093.46 as well as the reduction of the cash portion of the performance guarantee from \$34,849.43 to the amount of \$10,454.83 representing a 70% reduction in accordance with the Staff Engineers report dated November 6, 2023; and

**BE IT FURTHER RESOLVED** that this resolution ratifies action taken by the Authority on November 13, 2023.

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller and the Applicant.

  
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Mark Razzoli, Secretary

Motion by: Mark Razzoli  
Second by: James Blair  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2398.RES



OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. M-78-23

WATER DIVISION

RESOLUTION

**WHEREAS**, there exists a need for engineering services to be performed in connection with the design of an auxiliary maintenance garage structure on the Authority's Route 516 property. The garage will house trucks including the new Vacuum Excavator truck which was purchased last year. The garage will prolong the life of the equipment; and

**WHEREAS**, CME Associates has submitted a proposal for engineering services associated with this project. The work will include preliminary and final design services and development of Contract documents for a public bid process. The fee for the Engineering Services is estimated at approximately \$199,815.50; and

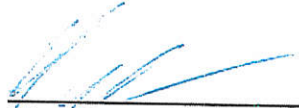
**WHEREAS**, the estimated cost of these services appear to be reasonable and are based upon an estimate of the number of hours required for the level of effort anticipated for the tasks in accordance with their Consulting Engineer Contract dated February 2, 2023. Hourly rates are subject to change beginning January 1, 2024; and

**WHEREAS**, the Staff Engineer has recommended that CME Associates be authorized to proceed with the Engineering services for this project in accordance with their November 7, 2023 proposal and their February 2, 2023 Contract. Hourly rates may be subject to renegotiation beginning January 1, 2024; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that CME Associates be and the same is hereby authorized to proceed with the Engineering services related to this project in accordance with their November 7, 2023 proposal;

**BE IT FURTHER RESOLVED** that this resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller and CME Associates.



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Mark Razzoli, Secretary

Motion by: Mark Razzoli  
Second by: Anita Greenberg  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2399.RES

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. M-79-23

WATER DIVISION

RESOLUTION

**WHEREAS**, the Old Bridge Municipal Utilities Authority is in need of construction services in connection with the construction of the Disbrow Road 1MG Elevated Water Storage Tank project; and

**WHEREAS**, by previous resolution CME Associates was authorized to prepare plans and specifications and obtain bids for this project; and

**WHEREAS**, on October 25, 2023 the Authority received two (2) bids. CB&I Storage Tank Solutions, LLC submitted a bid in the amount of \$8,596,330.00 and Dulaine Contracting, Inc. submitted a bid in the amount of \$7,689,825.00; and

**WHEREAS**, the bid by Dulaine Contracting, Inc., the lowest bidder, was deemed fatally defective for failure to comply with the Public Works Contractor Registration Act (N.J.S.A. 34:11-56.51) in that its tank sub-contractor was not registered under the Act at the time of bid submission; and

**WHEREAS**, funds are available for this project; and

**WHEREAS**, upon review of the bid documents, CME Associates and the Attorney for the Authority recommend that the contract be awarded to the second lowest bidder, CB&I Storage Tank Solutions, LLC, 915 N. Eldridge Parkway, Houston, Texas 77079; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority ("OBMUA") that the contract for the Disbrow Road 1MG Elevated Water Storage Tank project be awarded to CB&I Storage Tank Solutions, LLC in the amount of \$8,596,330.00;

**BE IT FURTHER RESOVLED** that the bid bonds submitted by Dulaine Contracting, Inc. be returned to it;

**BE IT FURTHER RESOVLED** that this resolution ratifies action taken by the Authority November 13, 2023;



**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller, CB&I Storage Tank Solutions, LLC and Dulaine Contracting, Inc.

  
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Mark Razzoli, Secretary

Motion by: Anita Greenberg  
Second by: Mark Razzoli  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2400.RES

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. M-80-23

ADMINISTRATION

RESOLUTION

**WHEREAS**, the Old Bridge Municipal Utilities Authority's current Public Official and Employment Practices Liability Insurance will expire on November 8, 2023; and

**WHEREAS**, the quotes received by the Authority were reviewed by the OBMUA's insurance agent, Volk Insurance, who has recommended the contract be awarded to Westchester Fire Insurance Company in the amount of \$40,199.00, which is a decrease of \$10,048.00, for a one (1) year period commencing November 8, 2023 through November 8, 2024; and

**WHEREAS**, funds are or will be available for this purpose; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that Guy Donatelli, Executive Director is hereby authorized to execute a contract in the amount of \$40,199.00 for a one (1) year term with Westchester Fire Insurance Company. The policy will be effective from November 8, 2023 through November 8, 2024;

**BE IT FURTHER RESOLVED** that this resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller and Westchester Fire Insurance Company.

  
Mark Razzoli, Secretary

Motion by: Frank Weber  
Second by: Bruce Walker  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2401.RES

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. M-81-23

SEWER DIVISION

RESOLUTION

**WHEREAS**, the Old Bridge Municipal Utilities Authority has a need to purchase a new vehicle for use in the Sewer Division. This vehicle will replace the 1990 dump truck that has been put up for auction; and

**WHEREAS**, there is a vehicle available through the Educational Services Commission of New Jersey (ESCNJ), of which the Authority is a member. The purchase of the dump truck will be completed through the use of two vendors associated with ESCNJ under Contract Number 23/24 Class 4-8 Trucks.; and


**WHEREAS**, Hoover Truck Centers of Flanders, New Jersey will be providing the chassis and cab of a 2025 Western Star 47X dump truck at a cost of \$147,261.96 (which includes a forty-one-point five percent (41.5%) discount) and Tony Sanchez, LTD of Ledgewood, New Jersey will install the dump body and accessories into the truck at a cost of \$42,695.09 (which includes a five percent (5%) discount); and

**WHEREAS**, there are funds in the budget to cover the cost of the purchases, which will require two separate purchase orders; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority ("OBMUA") that the Executive Director be and the same is hereby authorized to purchase one (1) 2025 Western Star 47X dump truck from Hoover Truck Centers, and installation of the dump body and accessories provided by Tony Sanchez, LTD under Contract No. 23/24 Class 4-8 Trucks through the ESCNJ Cooperative for the above listed costs;

**BE IT FURTHER RESOLVED** that this resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; and Michelle Smith, Comptroller.

  
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Mark Razzoli, Secretary

Motion by: Anita Greenberg  
Second by: Mark Razzoli  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2392.RES



OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. M-82-23

ADMINISTRATION

RESOLUTION

**BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that the Executive Director be and the same is hereby authorized to advertise for Qualification Packages for the following professional services for the 2024 - 2025 year:

- Actuarial
- Auditor
- Bankruptcy Counsel
- Bond Counsel
- Computer Maintenance Specialist
- Consulting Engineer
- Financial Advisor
- General Counsel
- Insurance Agent
- Labor Counsel
- Rate Counsel
- Special Counsel
- Rate Expert
- Training Specialist

**BE IT FURTHER RESOLVED** that this ratifies action taken by the Authority at its meeting of November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; and Michelle Smith, Comptroller.

  
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Mark Razzoli, Secretary

Motion by: Anita Greenberg  
Second by: Mark Razzoli  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2391.RES

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY  
RESOLUTION NO. M-83-23 ADMINISTRATION

RESOLUTION

**WHEREAS**, there exists a need for the position of Special Litigation Attorney on behalf of the Old Bridge Municipal Utilities Authority; and

**WHEREAS**, under the provisions of N.J.S.A. 19:44-20.4, et. seq., the Old Bridge Municipal Utilities Authority has conducted a Fair and Open Bidding process for the position of Special Litigation Attorney; and

**WHEREAS**, Requests for Proposals have been received and reviewed pursuant to the Statute; and

**WHEREAS**, funds are or will be available for this purpose; and

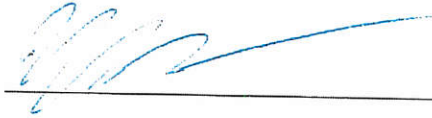
**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Old Bridge Municipal Utilities Authority that Elliot D. Ostrove, Esq. of the law firm Epstein Ostrove, LLC be and is hereby appointed Special Litigation Attorney to the Old Bridge Municipal Utilities Authority for the period November 13, 2023 through November 13, 2024, on a unit price and hourly rate of \$365.00 subject to the limit of such adequate uncommitted appropriations in the current Authority fiscal year budget and succeeding Authority fiscal year budget. The person appointed is an Attorney of the State of New Jersey and a member of a recognized profession, and may be appointed without competitive bidding;

**BE IT FURTHER RESOLVED** that the Chairman be and the same is hereby authorized to execute a contract with the law firm of Epstein Ostrove, LLC, upon approval of same by the Commissioners;

**BE IT FURTHER RESOLVED** that the law firm of Epstein Ostrove, LLC, is required to comply with the requirements of P.L. 1975 C. 127 (NJAC 17:27);

**BE IT FURTHER RESOLVED** that this resolution ratifies action taken by the Authority on November 13, 2023;

**BE IT FURTHER RESOLVED** that certified true copies of this resolution be forwarded to Guy Donatelli, Executive Director; Michael Roy, P.E., Staff Engineer; Michelle Smith, Comptroller and Epstein Ostrove, LLC.



Mark Razzoli, Secretary

Motion by: Mark Razzoli  
Second by: Anita Greenberg  
Ayes: Greenberg, Razzoli, Blair, Weber, Walker  
Nays: None  
Absent: None  
Dated: November 13, 2023  
OBMUA2390.RES