

MINUTES OF THE REGULAR MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY – THURSDAY– JUNE 23, 2011 – 4:00 P.M.

A Regular Meeting of the Middlesex County Utilities Authority was held at the Authority Board Room, Main Street Extension, Sayreville, New Jersey on Thursday, June 23, 2011.

Notices of the meeting were mailed to the three counties and the News Media - The Courier News, The Star Ledger and The Home News Tribune in compliance with the Open Public Meetings Law.

The meeting was called to order by Chairman Ted Light at 4:00 P.M.

Present were: Chairman Ted Light; Vice Chairman John Wiley; Commissioners: Linda Carter (by phone), Jerome Convery, Antonio Cruz, Herbert Daugherty, Joseph Juliano, Robert Karabinchak and James Zullo.

Absent were: Commissioner: Edward Cohen.

Also present were: Executive Director, Richard L. Fitamant; John Hoffman, Esq., Construction/General Counsel; Dan Tanzi, Wastewater Division Manager and Margaret Brennan, Comptroller.

REGULAR MEETING

Chairman Ted Light reported that he received a copy of Samuel Chiaravalli's resignation and also received notice from Somerset County regarding the appointment of Raymond Murray. Mr. Murray will be attending the next board meeting in July.

APPROVAL OF MINUTES

Motion for approval of the Minutes of the Regular Meeting of May 26, 2011 was made by Commissioner Zullo seconded by Commissioner Wiley and carried.

PUBLIC ON RESOLUTIONS

There were no members from the Public that wished to address the Board on any of the Resolutions.

RESOLUTIONS

Resolution No. A-6-11-1-R

Pretreatment Permit Action Nos. 05207 and 05208

Resolution No. WW-6-11-2-R

Contract Bid Award – Contract 11-6-3(CTP) – Administration Building Roof Replacement – Arista Builders & Designers, Inc. – Not to Exceed \$166,300.00

Resolution No. WW-6-11-3-R

Change Order No. 1 to Contract 09-02-4(SM) – MeadowLife Process – Vapor Condensate System Modifications – Cothery Construction Company, Inc. – (\$92,317.20)CREDIT

Resolution No. WW-6-11-4-R

Amendment No. 9 to Agreement for Engineering Services During Construction of MeadowLife Process
Modifications – R3M Engineering, Incorporated

Mr. Fitamant reported that this is a long standing agreement with R3M Engineering and the Authority is looking to extend this Agreement to the end of the year to address minor issues dealing with sludge manufacturer, BUSS and also to complete project closeout activities. The services will be funded within current authorized amounts.

Resolution No. WW-6-11-5-R

Change Order No. 2 to Contract 09-2-2(AC) Stand-by Labor and Materials for Repairs to Force Mains
and Gravity Sewers – Cruz Contractors, LLC.

Mr. Fitamant reported that this resolution is for a 53 day time extension which is necessary to have a contractor available for sewer pipeline repairs while a new Stand-By contract is out for bid solicitations. The new contract could be ready for award at the July Commissioners meeting.

Resolution No. SW-6-11-6-R

Agreement for Cell 7 Electrical Leak Location Testing Services at the Middlesex County Landfill –
Amendment No. 1 – Leak Location Services, Inc. – Not to Exceed \$12,200.00

Mr. Fitamant reported that additional services are necessary to complete integrity testing of the Cell 7 HDPE Liner. Work could not be completed due to insufficient moisture in the sand layer over the liner in the survey area. This amendment is to provide a revised work plan and additional mobilization that is needed to complete the work.

Resolution No. SW-6-11-7-R

Bid Rejection and Authorization to Negotiate - Contract No. 11-3SW (Rebid) – Landfill Leachate
Conveyance System Repair at the Middlesex County Landfill.

Mr. Fitamant reported that this resolution is for the rejection of bids for the Landfill Leachate Conveyance System Repair. The first time this contract was advertised for bid, no bids were received. The contract was subsequently rebid and on June 16, 2011, the authority received one bid. The company that submitted the bid submitted an alternative approach that was not favorable to the Authority which made the bid nonresponsive. It is recommended that the bid be rejected and authorization to negotiate a contract be considered. Authorization to award a negotiated contract will require a vote by 2/3 of the Board members.

The above resolutions were presented and moved for adoption by Commissioner Daugherty. The motion was seconded by Commissioner Convery and the following members voted Aye:

Chairman Light; Vice Chairman Wiley; Commissioners: Cruz, Carter, Convery, Daugherty, Karabinchak, Juliano and Zullo.

Nays: None

(See Resolutions Nos. 1-7)

PUBLIC

There were no members from the Public present

NEW BUSINESS

Mr. John Hoffman reported that the bill list has been filed.

Mr. Fitamant reported that the MCUA received a Notice of Violation for an odor complaint on July 13, 2010 and was fined \$15,000.00 by the NJDEP. The MCUA settled this violation for \$7,500.00.

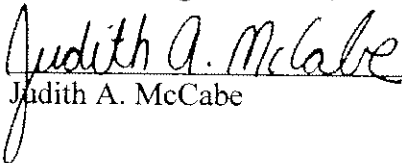
EXECUTIVE SESSION

A motion was made by Commissioner Zullo to enter into Executive Session, seconded by Commissioner Carter and carried. The purpose of the Executive Session was to discuss pending litigation with Spectraserv.

Mr. Hoffman reported that during Executive Session, discussions on Spectraserv Litigation and the recent Case Management took place. No action will be taken at this meeting.

There being no further business, Chairman Light called for a motion to adjourn. Motion was made by Commissioner Daugherty at 4:50 p.m., seconded by Vice Chairman Wiley and carried.

I hereby certify that these minutes are a true and accurate summary of that which transpired at the MCUA board meeting of June 23, 2011.



Judith A. McCabe