

MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY – TUESDAY– NOVEMBER 22, 2011 – 4:00 P.M.

A Public Hearing and Regular Meeting of the Middlesex County Utilities Authority was held at the Authority Board Room, Main Street Extension, Sayreville, New Jersey on Tuesday, November 22, 2011.

Notices of the meeting and the Public Hearing on the budgets 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 and New Jersey Statutes.

The meeting was called to order by Vice Chairman John Wiley at 4:00 P.M.

Present were: Chairman Ted Light (was detained until after the vote); Vice Chairman John Wiley; Commissioners: Linda Carter, Edward Cohen, Jerome Convery, Antonio Cruz, Wayne Hamilton, Joseph Juliano, Robert Karabinchak, Raymond Murray and James Zullo.

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

PUBLIC HEARING - WASTEWATER DIVISION

Mr. Hoffman opened the hearing. The Shorthand Reporter marked the Budget Exhibits.

Mr. Fitamant, Executive Director was sworn and filed a statement with regard to the Wastewater Division Budget.

There were no questions or comments from the Public.

A motion was made by Commissioner Cohen to close the public hearing. The motion was seconded by Vice Chairman John Wiley and the following members voted Aye:

Vice Chairman Wiley; Commissioners: Carter, Cohen, Convery, Cruz, Hamilton, Juliano, Karabinchak, Murray and Zullo.

Nays: None

PUBLIC HEARING - SOLID WASTE DIVISION

Mr. Hoffman opened the hearing. The Shorthand Reporter marked the Budget Exhibits

Mr. Fitamant was sworn and filed a statement with regard to the Solid Waste Division Budget.

There were no questions or comments from the Public.

A motion was made by Vice Chairman Wiley to close the public hearing. The motion was seconded by Commissioner Hamilton and the following members voted Aye:

Vice Chairman Wiley; Commissioners: Carter, Cohen, Convery, Cruz, Hamilton, Juliano, Karabinchak, Murray and Zullo.

Nays: None

The Public Hearing was recorded by a Court Reporter

REGULAR MEETING

The meeting opened with the Pledge of Allegiance, followed by a Moment of Silence for President Kennedy.

APPROVAL OF MINUTES

Motion for approval of the Minutes of the Regular Meeting of October 27, 2011 was made by Commissioner Convery seconded by Commissioner Juliano and carried.

PUBLIC ON RESOLUTIONS

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

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

Final Adoption of 2012 Budget – Wastewater Division Budget

Resolution A-11-11-1-R – Final Adoption of 2012 Budget – Wastewater Division was presented and moved for adoption by Commissioner Hamilton. The motion was seconded by Commissioner Convery and the following members voted Aye:

Vice Chairman Wiley; Commissioners: Carter, Cohen, Convery, Cruz, Hamilton, Juliano, Karabinchak, Murray and Zullo.

Nays: None

(See Appendix No. 1)

Resolution No. A-11-11-2-R

Final Adoption of 2012 Participant Rates and Charges for Wastewater System Use or Service

Resolution A-11-11-2-R – Final Adoption of 2012 Participant Rates and Charges for Wastewater System Use or Service was presented and moved for adoption by Commissioner Hamilton. The motion was seconded by Commissioner Convery and the following members voted Aye:

Vice Chairman Wiley; Commissioners: Carter, Cohen, Convery, Cruz, Hamilton, Juliano, Karabinchak and Zullo.

Nays: None

Resolution No. A-11-11-3-R

Final Adoption of 2012 Solid Waste Division Budget, Rate Schedule and Service Charges

Resolution A-11-11-3-R – Final Adoption of 2012 Solid Waste Division Budget, Rate Schedule and Service Charges was presented and moved for adoption by Commissioner Zullo. The motion was seconded by Commissioner Carter and the following members voted Aye:

Vice Chairman Wiley; Commissioners: Carter, Cohen, Convery, Cruz, Hamilton, Juliano, Karabinchak and Zullo.

Nays: None

(See Appendix No. 3)

Resolution No. SW-11-10-4-R

Final Adoption of the 2011 Solid Waste Management Service Fee

Resolution SW-11-10-4-R – Final Adoption of the 2011 Solid Waste Management Service Fee was presented and moved for adoption by Commissioner Zullo. The motion was seconded by Commissioner Carter and the following members voted Aye:

Vice Chairman Wiley; Commissioners: Carter, Cohen, Convery, Cruz, Hamilton, Juliano, Karabinchak and Zullo.

Nays: None

(See Appendix No. 4)

Resolution No. A-11-11-5-R

Pretreatment Permit Nos. 14073 and 24149

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

Contract Bid Award – Contract 11-10-1(SM) – Supply and Replacement of Regenerative Thermal Oxidizer Media – Cothey Construction Company, Inc. – Not to Exceed \$1,014,800.00

Resolution No. WW-11-11-7-R

Contract Bid Award – Contract 11-11-1(AC) – Janitorial Services 2012-2013 - Pure Cleaning Services – Not to Exceed \$91,349.00

Resolution No. WW-11-11-8-R

Contract Bid Award – Contract 11-11-2(AC) – NJDEP Certified Laboratory Analysis and Associated Services 2012-2013 – Analytical Laboratory Services – Not to Exceed \$213,316.00

Resolution No. WW-11-11-9-R

Contract Bid Award – Contract 11-10-3(CTP)/Supply & Delivery of Catalog Purchased Industrial and Commercial Supplies 2012-2013 – USABluebook and MSC Industrial Supply

Resolution No. WW-11-11-10-R

Contract Bid Award – Contract 11-01-2(SBI)(Rebid) – South Bay Interceptor Improvements Phase I – Spiniello Companies – Not to Exceed \$991,494.00

Mr. Fitamant reported that Ed Testino, the Authority's conflict counsel for this matter, determined that defects in the low bid documents were not material and correctable. The defects were appropriately addressed, post bid, allowing the Authority to award this contract to Spiniello Companies.

Resolution No. WW-11-11-11-R

Change Order No. 1 to Contract 11-6-3(CTP) – Administration Building Replacement Roof – Arista Builders & Designers, Inc.

This Change order is for a no cost time extension that is necessary due to weather delays.

Resolution No. SW-11-11-12-R

Contract Award – Contract No. 11-13SW – Furnishing Maintenance, Parts and Repairs on Various Caterpillar Equipment for the Middlesex County Landfill – Foley, Incorporated – Not to Exceed \$357,240.59

Resolution No. SW-11-11-13-R

Contract Award – Computer System Maintenance – The System Support Group, Inc. – Solid Waste Technologies Division – Not to Exceed \$17,350.00

Resolution No. SW-11-11-14-R

2012 Authorization to Execute Solid Waste Purchase Orders Under Various New Jersey State Contracts

Resolution No. SW-11-11-15-R

Resolution Rejecting Bids for Janitorial and Window Cleaning Services at the Middlesex County Landfill and Authorization to Rebid – Contract No. 11-12SW (Rebid)

Mr. Fitamant reported that this is the 2nd time this contract was advertised for bids. A total of five bids were received but the two low bids both were deemed to be defective with the remaining bids exceeding contract bid estimates. A recommendation was made to reject the bids and readvertise once again.

Resolution No. SW-11-11-16-R

Change Order No. 1 – Authorization to Extend Contract Term – Janitorial and Window Cleaning Services at the Middlesex County Landfill – Contract No. 09-6SW – Maverick Building Services, Inc. – Not to Exceed \$1,025.00

As a consequence of Resolution No. SW-11-11-15-R, the rejection of bids for Janitorial services, a 1 month extension to the current Janitorial contract is necessary.

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

Vice Chairman Wiley; Commissioners: Carter, Cohen, Convey, Cruz, Hamilton, Juliano, Karabinchak, Murray and Zullo.

Nays: None

(See Appendix Nos. 5-16)

NEW BUSINESS

Ms. Brennan - Comptroller reported to the board that the MCUA will be moving the employee and retiree prescription plan coverage from Bollinger to the Middlesex County Joint Health Insurance Fund. This plan, through Medco, can meet all the Authority's requirements of its existing plan at a reduced cost. Ms. Brennan further stated that Bollinger requires a 30 day notice for cancelling the Authority's existing coverage.

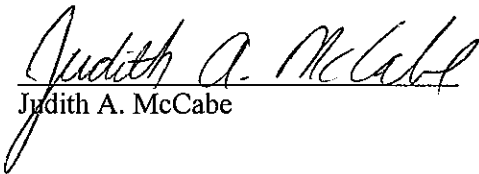
Mr. Hoffman and Mr. Fitamant spoke about Contract No. 11-9-4(CTP) – Solar Power Purchase Agreement for the Middlesex County Utilities Authority explaining the bids received and the details of the project. Questions from the Commissioners were answered. Mr. Fitamant further stated that a meeting is going to be held on Monday, November 28th with the low bidder, Power Grid Capital, and a decision will be made on that day if a Special Meeting on Thursday, December 1, 2011 is necessary to award this contract.

Chairman Ted Light reported that the bill list has been filed with the Commissioners.

Chairman Light stated that the next regular board meeting will be held on December 22, 2011 at 4:00 p.m.

There being no further business, Chairman Light called for a motion to adjourn. Motion was made at 5:00 by Vice Chairman Wiley, seconded by Commissioner Karabinchak and carried.

I hereby certify that these minutes are a true and accurate summary of that which transpired at the MCUA board meeting of November 22, 2011.


Judith A. McCabe

MINUTES OF THE SPECIAL MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY - THURSDAY, DECEMBER 1, 2011 – 5:00 P.M.

A Special Meeting of the Middlesex County Utilities Authority was held at the Authority Board Room, Main Street Extension, Sayreville, New Jersey on Thursday, December 1, 2011.

Notices of the meeting were mailed to 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 Wiley; Commissioners: Linda Carter (by phone), Edward Cohen, Joseph Juliano, Wayne Hamilton, Robert Karabinchak and Raymond Murray.

Absent were: Commissioners: Jerome Convery, Antonio Cruz and James Zullo.

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

John Hoffman reported that in September the MCUA issued a Request for Proposals for a solar project to provide electricity services for four different sites; The Edison Pump Station, The Central Treatment Plant, the Administration Building and the Middlesex County Fire Academy. There were two ways to submit this proposal. 1. PPA for a term of six years and at the conclusion of the six year term, the MCUA would purchase the system and 2. PPA for a term of fifteen years with an option for purchase at the end of the 15 year term.

Two bids were received. One bid from AMSOLAR was received and determined that there will be no savings from the 15 year PPA proposal and the six year proposal could not be accepted because there would not be any savings during the first six years. The other proposal received was from Power Grid Capital, LLC. for 6.9 cents for 6 years and a purchase price of \$12.5 million. After evaluation of this proposal, a recommendation was made by the evaluation committee to award this contract to Power Grid Capital LLC.

Mr. Hoffman explained the report attached to the Resolution and spoke about the warranties for the equipment. Mr. Hoffman further reported that the PPA Agreement relating to the Fire Academy will need approval from the County.

Mr. Fitamant further explained the costs to the Commissioners.

PUBLIC PORTION

There were no members from the Public present

RESOLUTIONS

Resolution No. WW-12-11-1-R

Authorization to Award Contract No. 11-9-4(CTP) for a Solar Power Purchase Agreement Between the Middlesex County Utilities Authority and Power Grid Capital, LLC

Resolution WW-12-11-1-R – Authorization to Award Contract No. 11-9-4(CTP) for a Solar Power Purchase Agreement Between the Middlesex County Utilities Authority and Power Grid Capital, LLC was presented and moved for adoption by Commissioner Cohen. The motion was seconded by Vice Chairman Wiley and the following members voted Aye:

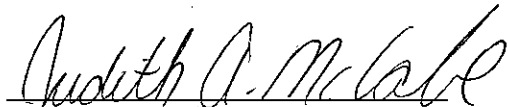
Chairman Light; Vice Chairman Wiley; Commissioners: Carter, Cohen, Hamilton, Juliano and Murray.

Nays: None

(See Appendix No. 1)

There being no further business, Chairman Light called for a motion to adjourn. Motion was made by Commissioner Juliano at 5:30 p.m., seconded by Commissioner Karabinchak and carried.

I hereby certify that these minutes are a true and accurate summary of that which transpired at the MCUA board meeting of December 1, 2011.



Judith A. McCabe