

MCUA REGULAR MEETING

THURSDAY, MAY 23, 2013

4:00 P.M.

AGENDA

Pledge of Allegiance

Approval of the Minutes of the Regular Meeting of April 25, 2013

RESOLUTIONS

1. Resolution No. WW-5-13-1-R
Contract Bid Award – Contract 13-3-5(CTP) – Supply and Delivery of Flender Gear Box Units – Kaman Industrial Technologies Corp. – Not to Exceed \$193,700.00
2. Resolution No. WW-5-13-2-R
Authorization to Negotiate Contract 13-4-2(CTP)(Rebid) – Supply and Delivery of BVS Automatic Components and Systems
3. Resolution No. WW-5-13-3-R
Change Order No. 1 – HSR to Contract No.12-12-7(HSR) – Emergency Contract for Repair of Storm Damage - Scheinert and Son, Inc.
4. Resolution No. WW-5-13-4-R
Contract Award – New Jersey Harbor Dischargers Group Technical Advisor Agreement 2013-2014 – Great Lakes Environmental Center, Incorporated – Not to Exceed \$16,422.00
5. Resolution No. WW-5-13-5-R
Amendment No. 1 to Agreement for Professional Engineering Services to Provide FEMA Related Technical Assessment and Reimbursement Services to the Authority for Storm Damage to Authority Facilities – Hatch Mott MacDonald
6. Resolution No. SW/WW-5-13-6-R
Adoption of Prequalification Regulations for Security Guard Services 2013-2015
7. Resolution No. WW-5-13-7-R
Resolution Approving the Edison Tunnel License Agreement and the Easement Agreement Between MCUA and CPV Shore, LLC.
8. Resolution No. WW-5-13-8-R
Resolution Consenting to the Proposed Water Quality Management (WGM) Plan Amendment Entitled – Middlesex County Future Wastewater Service Area Map
9. Resolution No. WW-5-13-9-R
NJPDES Permit Nos. 0020141, 0080713 and 0125792 Fee for 7/1/12 – Through 6/30/13 – New Jersey Department of Environmental Protection
10. Resolution No. WW-5-13-10-R
2013 Authorization to Execute Wastewater Purchase Orders Under New Jersey State Contract T-0537

MCUA REGULAR MEETING

THURSDAY, MAY 23, 2013

4:00 P.M.

AGENDA

11. Resolution No. A-5-13-11-R
Approval of 2012 Annual Audit – Wastewater Division
12. Resolution No. A-5-13-12-R
Approval of 2012 Annual Audit – Solid Waste Division
13. Resolution No. SW-5-13-13-R
Change Order No. 2 – Contract No. 12-3SW – Landfill Leachate Conveyance System Repair at the Middlesex County Landfill – Barbella Construction Services, LLC. – Not to Exceed \$13,100.43
14. Resolution No. SW-5-13-14-R
Change Order No. 3 – Contract No. 12-3SW – Landfill Leachate Conveyance System Repair at the Middlesex County Landfill – Barbella Construction Services, LLC. – Not to Exceed \$24,746.13
15. Resolution No. SW-5-13-15-R
Contract Award – Contract No. 13-2SW – Purchase of a Landfill Articulated Dump Truck for the Middlesex County Landfill – Foley, Incorporated – Not to Exceed \$610,359.75
16. Resolution No. SW-5-13-16-R
Authorization and Verification of Discretionary Closure Account for Phase II for Landfill Closure and Post-Closure Financial Plan
17. Resolution No. SW-5-13-17-R
Authorization for Collective Bargaining Agreement Between the Middlesex County Utilities Authority Solid Waste Division and United Service Workers, Local 255, IUJAT – Amendment No. 2
18. Resolution No. SW/WW-5-13-18-R
Resolution to Revise the Fixing and Determining the Appointment, Classification and Salary Range for Employees of the Middlesex County Utilities Authority

*** PUBLIC PORTION ***

COMMITTEE REPORTS

NEW BUSINESS

OLD BUSINESS

ADJOURNMENT

RESOLUTION NO. WW-5-13-1-R

CONTRACT BID AWARD - CONTRACT 13-3-5(CTP)
SUPPLY AND DELIVERY OF FLENDER GEAR BOX UNITS
KAMAN INDUSTRIAL TECHNOLOGIES CORP.

WHEREAS, on May 3, 2013, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 13-3-5(CTP)/Supply and Delivery of Flender Gear Box Units," hereinafter referred to as "Contract 13-3-5(CTP);" and

WHEREAS, on May 17, 2013, the Authority received and publicly opened the sole bid submitted for Contract 13-3-5(CTP), that of Kaman Industrial Technologies Corp. for \$193,700.00; and

WHEREAS, the said bids have been reviewed by the Authority's Staff who have advised that the bid of Kaman Industrial Technologies Corp. for minimum, maximum and average quantities as set forth in Exhibit A for the Unit Prices set forth in Exhibit C attached hereto, satisfies, in all material respects, the requirements of the Specifications and Bid Documents and is the lowest responsive and responsible bid; and

WHEREAS, Exhibit A of Contract 13-3-5(CTP) provides for the Contract Term to run twenty-four (24) months from receipt of Notice to Proceed; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Chief Financial Officer shall certify, in writing, the availability of sufficient funds for such supply and delivery services based upon the unit prices set forth in Exhibit C-1 up to the maximum quantities set forth in from Exhibit A, for which funding shall be certified as ordered and drawn against the amount allotted in the Wastewater Operating Budget;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Contract 13-3-5(CTP)/Supply and Delivery of Flender Gear Box Units - Kaman Industrial Technologies Corp.," and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Commissioners hereby find the Total Extended Price for the contract term of \$193,700.00 by Kaman Industrial Technologies Corp. to be the lowest responsive and responsible bid for Contract 13-3-5(CTP) when based on unit pricing.

3. The Commissioners hereby accept the bid of Kaman Industrial Technologies Corp. as set forth in Exhibit C-1 attached hereto for Contract 13-3-5(CTP) for the twenty-four (24) month contract term.

4. Funding for purchases, supply and delivery under Contract 13-3-5(CTP) shall be certified as ordered by the Chief Financial Officer, shall not exceed \$193,700.00, and shall be drawn against the Wastewater Operating Budget.

5. The Executive Director is hereby authorized and directed to notify Kaman Industrial Technologies Corp. of the acceptance of its bid, and the Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by Contract 13-3-5(CTP).

6. In the absence of the Chairman, the Authority's Vice Chairman is hereby authorized to execute said contract on the Chairman's behalf.

7. In the event Kaman Industrial Technologies Corp. fails to fulfill the terms set forth in Article 16 of Contract 13-3-5(CTP) for contract execution, the Executive Director is hereby authorized to make claim against Kaman Industrial Technologies Corp.'s Bid Security and is authorized to rebid Contract 13-3-5(CTP).

8. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION NO. WW-5-13-2-R

AUTHORIZATION TO NEGOTIATE CONTRACT 13-4-2(CTP)(REBID)
SUPPLY AND DELIVERY OF BVS
AUTOMATIC SAMPLER COMPONENTS AND SYSTEMS

WHEREAS, on April 30, 2013, the Middlesex County Utilities Authority (Authority) publicly advertised for bids for a contract entitled "Contract 13-4-2(CTP)(Rebid)/Supply and Delivery of BVS Automatic Sampler Components and Systems," hereinafter referred to as "Contract 13-4-2(CTP)(Rebid);" and

WHEREAS, on May 15, 2013, the Authority received no bids submitted for Contract 10-5-6(CTP)(Rebid); and

WHEREAS, N.J.A.C. 40A:11-5(3) states that bids advertised in accordance with statute on two occasions where no bids were received on both occasions permits the Authority to negotiate a contract which subsequently must be approved via a Resolution approved by two-thirds affirmative vote by the Board; and

WHEREAS, the Authority's Staff recommends negotiating a contract for the supply and delivery of BVS automatic sampler components and systems;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Authorization to Negotiate Contract 13-4-2(CTP)(Rebid)/Supply and Delivery of BVS Automatic Sampler Components and Systems", and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Commissioners hereby authorize negotiating under such specifications as Authority staff shall determine appropriate for the reason stated in this Resolution.

3. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law

RESOLUTION NO. WW-5-13-3-R

CHANGE ORDER No. 1-HSR TO CONTRACT#12-12-7(HSR)
EMERGENCY CONTRACT FOR REPAIR OF STORM DAMAGE
SCHEINERT AND SON, INC.

WHEREAS, on October 30, 2012 Hurricane Sandy made landfall on the New Jersey shore line causing extensive damage to Middlesex County Utilities Authority (Authority) facilities, mainly the Sayreville and Edison Pump Stations, which was determined to be a condition that was a hazard to the health, safety, and welfare to the public requiring the Authority to declare a state of emergency; and

WHEREAS, the Middlesex County Utilities Authority (Authority) previously executed a contract to and with Scheinert & Son, Inc. for Contract 12-12-7(HSR)/Emergency Contract for Repair of Storm Damage; and

WHEREAS, Authority's Staff and Engineering Consultant have recommended the approval and execution of a Change Order to said Contract to provide a 120 day time extension to the Contract term in order to complete on going repairs at the Sayreville Pump Station; and

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; and

WHEREAS, the Authority has determined that said Change Order itself does not cause the change orders executed on this Contract to exceed 20% of the Original Contract amount; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Change Order No. 1-HSR to Contract#12-12-7(HSR)/Emergency Contract For Repair Of Storm Damage- Scheinert & Son, Inc.", and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The following Change Order shall be and is hereby approved:

Contractor:	Scheinert & Son, Inc.
Contract No.:	12-12-7(HSR)
Change Order No.:	1-HSR
Description of Work:	Extend contract term by 120 calendar days
Change Order Amount:	\$0.00
Comments:	Hurricane Sandy

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order substantially in the form attached hereto.

5. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION NO. WW-5-13-4-R

CONTRACT AWARD - NEW JERSEY HARBOR DISCHARGERS GROUP
TECHNICAL ADVISOR AGREEMENT 2013-2014
GREAT LAKES ENVIRONMENTAL CENTER, INCORPORATED

WHEREAS, pursuant to Resolution No. A-5-94-23-R, the Board of Commissioners of the Middlesex County Utilities Authority (“Authority”) authorized the Authority to enter into an agreement with the Passaic Valley Sewerage Commissioners, Hoboken-Union City-Weehawken Sewerage Authority, Edgewater Municipal Utilities Authority, Joint Meeting of Essex and Union Counties, Linden-Roselle Sewerage Authority, North Bergen Municipal Utilities Authority, Rahway Valley Sewerage Authority, Secaucus Municipal Utilities Authority, Bergen County Utilities Authority, and West New York Municipal Utilities Authority, hereinafter referred to as the “N.J. Harbor Dischargers Group”, for the procurement of engineering and scientific support in connection with determining the capacity of the New York/New Jersey Harbor to assimilate effluent discharges; and

WHEREAS, the New Jersey Department of Community Affairs (“NJDC”) has issued Cooperative Pricing System Registration #52-NJHDGCP(S) to the N.J. Harbor Dischargers Group for the purpose of securing said engineering and scientific support; and

WHEREAS, the Authority entered into previous agreements as a member of the N.J. Harbor Dischargers Group with Great Lakes Environmental Center, Inc. related to engineering and scientific services as New Jersey Harbor Dischargers Group Technical Advisor; and

WHEREAS, owing to their particular familiarity with the technical and regulatory issues related to the N.J. Harbor Dischargers Group, the Authority’s technical staff has determined that it is necessary and appropriate to retain the services of Great Lakes Environmental, Inc. for the year 2013-2014 as detailed in Attachment No. 1 hereto; and

WHEREAS, for pursuant to N.J.S.A. 40A:11-5, the Authority may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Great Lakes Environmental Center, Inc. has submitted a proposal to provide continued services as set forth in Attachment No. 2 hereto as required by N.J.A.C. 5:34-4.5(c) which shall be the basis for payment for said Agreement for N.J. Harbor Dischargers Group Technical Advisor; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority and its members and Commissioners desire to contract with the Great Lakes Environmental Center, Inc. for a term of one year from June 1, 2013, through May 31, 2014; and

WHEREAS, the estimated pro rata cost to the Authority for the one year Contract term is set forth in Attachment A hereto which is an amount not to exceed \$16,422.00; and

WHEREAS, said professional and scientific services are within the definition contained in N.J.S.A.40A:11-2; and

WHEREAS, pursuant to N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer has certified, in writing, the availability of sufficient funds for said services in the amount not to exceed \$16,422.00 to be paid from the Wastewater Division Operating Budget;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "New Jersey Harbor Dischargers Group Technical Advisor Agreement 2013-2014 - Great Lakes Environmental Center, Inc.," and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. Great Lakes Environmental Center, Inc. shall be, and is hereby retained to perform engineering and scientific services related to the Wastewater Division for and on behalf of the Authority for the terms set forth in Attachment 2 hereto.

3. Upon recommendation of the Authority's General Counsel, the Executive Director is hereby authorized to execute an Agreement with Great Lakes Environmental Center, Inc. for substantially the terms as set forth in Attachment 2 hereto, subject to the limitation and cost adjustment for a one year contract term from June 1, 2013, through May 31, 2014.

4. Payment not to exceed \$16,422.00 for said professional Services and shall be drawn against the Wastewater Operating Budget.

5. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

6. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. WW-5-13-5-R

AMENDMENT NO. 1 TO AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
TO PROVIDE FEMA RELATED TECHNICAL ASSESSMENT AND REIMBURSEMENT
SERVICES TO THE AUTHORITY FOR STORM DAMAGE TO AUTHORITY FACILITIES
HATCH MOTT MACDONALD

WHEREAS, the Middlesex County Utilities Authority (Authority) executed an Agreement effective on November 29, 2012, with Hatch Mott MacDonald, for engineering services, related to FEMA related technical assessment and reimbursement services hereinafter the "Original Agreement"; and

WHEREAS, it has been determined by Authority Staff to be necessary to extend the term of the Original Agreement to December 31, 2013; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Authority may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Hatch Mott MacDonald has prepared a letter proposal to extend the term of the Original Agreement at the schedule of rates set forth in the Original Agreement as required by N.J.A.C. 5:30-11.6; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq., the Authority and its members and Commissioners desire to Amend said Original Agreement with Hatch Mott MacDonald; and

WHEREAS, engineering services provided by Hatch Mott MacDonald are professional services within the definition contained in N.J.S.A. 40A:11-2; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be Amendment No. 1 to Agreement for Professional Engineering Services to Provide FEMA Related Technical Assessment and Reimbursement Services for Storm Damage to Authority Facilities - Hatch Mott MacDonald," and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Authority's Staff is hereby authorized to prepare the necessary agreement amendment documents to extend the term of the agreement to December 31, 2013, as set forth in Attachment #1 hereto, and the Chairman and Secretary are hereby authorized to execute an Amendment to the Original Agreement for said extension.

3. In the absence of the Chairman, the Authority's Vice Chairman is hereby authorized to execute said Amendment on behalf of the Authority.

4. The retainage of Hatch Mott MacDonald authorized herein shall be made without public bidding pursuant to the Local Public Contracts Law of the State of New Jersey for the reason that Hatch Mott MacDonald is an engineering firm which profession is recognized by law.

5. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

6. The Executive Director of the Authority is hereby authorized and directed to cause notice of this Resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

RESOLUTION NO. SW/WW-5-13-6-R

ADOPTION OF PREQUALIFICATION REGULATIONS FOR
SECURITY GUARD SERVICES 2013-2015

WHEREAS, the Middlesex County Utilities Authority (Authority) has evaluated a number of issues related to Security Guard Services and has determined that it is in the Authority's best interest to prequalify bidders for security guard service contracts as set forth in Attachment No.1 hereto; and

WHEREAS, on April 3, 2013, the Authority provided Public Notice of a Public Hearing on April 30, 2010, in Compliance with the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-25 et seq.) to hear comments on the Authority's proposed Prequalification Regulations for Prospective Bidders for Security Guard Services as set forth in Attachment No.2 hereto; and

WHEREAS, the Public Hearing on said Prequalification Regulations has been duly conducted by the Authority's Executive Staff, and an Official Hearing Record has been prepared and Certified by the Authority's Secretary as set forth in Attachment No.3 hereto; and

WHEREAS, the Board of Commissioners has reviewed said Hearing Record and the Prequalification Questionnaire as set forth in Attachment No. 4, and has determined that it is in the Authority's best interest to adopt said Prequalification Regulations for prospective bidders for Security Guard Services Contracts; and

WHEREAS, the Board of Commissioners is desirous of clarifying the process for Prequalification of prospective bidders to assure that all prospective bidders have been equitably notified of the procedures the Authority will follow in compliance with N.J.S.A. 40A:11-25 et seq.;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Adoption of Prequalification Regulations for Security Guard Services Contracts 2013-2015", and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Record of the April 30, 2013, Public Hearing on the Prequalification Regulations for Potential Bidders for Security Guard Service Contracts as certified by the Authority's Secretary and as set forth in Attachment No.3 hereto is hereby accepted.

3. The Prequalification Regulations for Potential Bidders for Security Guard Services 2013-2015 as set forth in Attachment No.2 and the Prequalification Questionnaire as set forth in Attachment No. 4, hereto are hereby adopted subject to approval of the Director of the New Jersey Division of Local Government Services ("DLGS").

4. The Authority's staff is hereby authorized to submit said Prequalification Regulations to DLGS for approval with all necessary documentation as must accompany such request.

5. Upon approval of the DLGS, the Authority's Executive Director and staff are hereby authorized and directed to cause notice of adoption of said Prequalification Regulations as required by N.J.S.A. 40A:11-25 et seq. to be published in two (2) appropriate newspapers, and to make said Prequalification Regulations available to Prospective Bidders for a period not to exceed ten (10) days.

6. Authority Staff and Counsel are hereby authorized to review the Prequalification Questionnaires submitted by Prospective Bidders and to make determinations regarding the qualifications of Prospective Bidders and to notify Prospective Bidders regarding their determinations.

7. Authority Staff and Executive Director are hereby authorized to conduct any hearing as might be necessary to address any issues raised by any disappointed Prospective Bidder(s) who might be determined to be unqualified to bid on the Authority's Security Guard Services Contracts.

8. Unqualified Bidders who are not satisfied with their Hearing before the Executive Director and Staff shall be permitted to seek a further Hearing of their issues before the Board of Commissioners.

9. Upon resolution of all claims of Unqualified Bidders to the satisfaction of Counsel, the Authority's staff is hereby authorized to establish a date for the opening of bids for Security Guard Services 2013-2015 and to notify all Qualified Bidders that they may pick-up Contract Documents and Bid Specifications therefor.

10. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION NO. WW-5-13-7-R

RESOLUTION APPROVING THE EDISON TUNNEL LICENSE AGREEMENT AND THE EASEMENT AGREEMENT BETWEEN MCUA AND CPV, SHORE, LLC

WHEREAS, the Middlesex County Utilities Authority (“MCUA”) produces reclaimed water from its treatment and disposal of sewage and encourages the use of reclaimed water for beneficial uses for non-potable applications such as electric generating plants; and

WHEREAS, MCUA has an ongoing supply of reclaimed water that is not utilized and is discharged into Raritan Bay; and

WHEREAS, MCUA, after public notice and a public hearing, has approved a Service Fee Schedule which permits the sale of reclaimed water for beneficial reuse in a permitted process; and

WHEREAS, CPV Shore, LLC (“CPV”) is in the process of planning and constructing a nominally rated 700+ MW electric plant on land located at Industrial Avenue in the Township of Woodbridge, Middlesex County, New Jersey, across the Raritan River from the MCUA plant and more particularly known as, or to be known as, Block 93, Part of Lot 100 and Block 62, Part of Lots 2 and 3 on the Official Woodbridge Township Tax Map (the “CPV Electric Plant”); and

WHEREAS, the reclaimed water generated by MCUA is suitable for use (after further treatment) at the CPV Electric Plant; and

WHEREAS, the parties have entered into a Design/Construction Agreement and an Operating Agreement relating to the construction of facilities and the transmission of reclaimed water to the CPV Electric Plant.

WHEREAS, pursuant to the Operating Agreement, the MCUA agreed to grant a Tunnel License Agreement and Easement Agreement to permit CPV to use the Edison Tunnel and other lands owned by the MCUA to place, maintain and operate a CPV pipeline for reclaimed water from the MCUA plant to the CPV Electric Plant and to permit the return of the unused reclaimed water to the Woodbridge sewer system; and

WHEREAS, the MCUA’s Executive Director and Counsel have negotiated a Tunnel License Agreement and Easement Agreement between the MCUA and CPV; and

WHEREAS, the Easement Agreement provides for a payment of \$230,000 from CPV to MCUA for the use of the Easements; and

WHEREAS, the Tunnel License Agreement provides for an annual license fee of \$143,500 for the right to place a 16” circumference pipe in the tunnel and the option to place an additional 16” circumference pipe within five (5) years from the date of completion of the original pipe for the option price of \$607,366; and

WHEREAS, the Executive Director and Counsel recommend that the Commissioners approve the Tunnel License Agreement and the Easement Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference, the title of this Resolution shall be “Resolution Approving the Edison Tunnel License Agreement and the Easement Agreement Between MCUA and CPV, Shore, LLC.” and all subsequent documents concerning the matters addressed herein shall reference this title.

2. The Tunnel License Agreement and the Easement Agreement (“Agreements) between the MCUA and CPV are approved in substantially the form annexed hereto.

3. The Executive Director is authorized to execute the Agreements on behalf of the MCUA.

4. This Resolution shall take effect upon the expiration of the Freeholder review period in accordance with law.

RESOLUTION NO. WW-5-13-8-R

**RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY
MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED –
MIDDLESEX COUNTY FUTURE WASTEWATER SERVICE AREA MAP**

WHEREAS, the Middlesex County Utilities Authority (MCUA) desires for the orderly development of wastewater facilities within the Lower Raritan-Middlesex County WQM area; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on May 6, 2013 for a Proposed Amendment to the Lower Raritan-Middlesex County Water Quality Management Plan entitled - Middlesex County Future Wastewater Service Area Map has been prepared by the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment;

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of May, 2013, by the governing body of the Middlesex County Utilities Authority that:

1. For all future reference, the title of this Resolution shall be “Resolution Consenting to the Proposed Water Quality Management (WQM) Plan Amendment Entitled – Middlesex County Future Wastewater Service Area Map” and all subsequent documents concerning the matters addressed herein shall reference this title.

2. The Middlesex County Utilities Authority hereby consents to the proposed amendment to the Lower Raritan Middlesex County Water Quality Management Plan entitled - Middlesex County Future Wastewater Service Area Map to be considered by the Middlesex County Planning Board for endorsement.

3. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4 and the Middlesex County Office of Planning Division of Comprehensive Planning and the Environment.

4. This Resolution shall take effect upon the expiration of the Freeholder review period in accordance with law.

RESOLUTION NO. WW-5-13-9-R

**NJPDES PERMIT NOS. 0020141, 0080713 & 0125792
FEE FOR 7/1/12- THROUGH 6/30/13
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, the Middlesex County Utilities Authority (“Authority”) owns and operates the Edward J. Patten Water Reclamation Plant (“Wastewater Facility”) in Sayreville, New Jersey; and

WHEREAS, discharges from said Wastewater Facility are subject to regulation and permitting pursuant to the New Jersey Pollutant Discharge Elimination System (“NJPDES Permit”) as administered by the New Jersey Department of Environmental Protection (“NJDEP”) pursuant to Permit Nos. 0020141, 0080713 & 0125792; and

WHEREAS, as a condition of said NJPDES Permit Nos. 0020141, 0080713 and 0125792, the Authority is required to pay an annual fee to NJDEP; and

WHEREAS, the Authority’s NJPDES Permit Fees for the period running from July 1, 2012, through June 30, 2013, in the amount of \$656,698.00 for Permit #0020141, \$10,600.00 for Permit #0080713, and \$800.00 for Permit #0125792, as set forth in Attachment No. 1 hereto are due and owing on or before June 10, 2013; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(2) payment of said fees to NJDEP may be made without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Chief Financial Officer certified, in writing, the availability of sufficient funds for such Permit Fees in an aggregate amount of \$668,098.00 to be paid from the Wastewater Operating Budget in the Form of Authority Purchase Order No.83460;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be “NJPDES Permit Nos. 0020141, 0080713 & 0125792 Fee for 7/1/12 to 6/30/13 – New Jersey Department of Environmental Protection”, and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. Payment of \$668,098.00 for said Permit Fees is hereby authorized and shall be drawn against the Wastewater Operating Budget by Purchase Order No.83460.
3. The actions of appropriate officers and staff of the Authority to prepare and execute the necessary payment documents for said NJPDES Permit Fee are hereby ratified.
4. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION NO. WW-5-13-10-R

2013 AUTHORIZATION TO EXECUTE WASTEWATER PURCHASE ORDERS
UNDER NEW JERSEY STATE CONTRACT T-0537

WHEREAS, the Middlesex County Utilities Authority (“Authority”) has determined that in order to conduct required activities, the Authority’s Wastewater Division must purchase adequate materials, equipment and supplies; and

WHEREAS, the Authority’s staff evaluates all options in order to recommend the purchase of materials, equipment and supplies that represent the best value and cost available to the Authority; and

WHEREAS, the Authority desires, whenever practicable and advantageous, to utilize the type of New Jersey State Contracts available to local contracting units; and

WHEREAS, pursuant to N.J.S.A. 40A:11-11 the Authority may, without advertising for bids, or having rejected all bids obtained pursuant to advertising therefor, purchase any materials, supplies or equipment under any contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury (“State Contracts”); and

WHEREAS, the Authority currently subscribes to the New Jersey Purchase Bureau, Cooperative Purchasing Program for over one hundred State Contracts; and

WHEREAS, for reasons of efficiency and economy, the Authority’s Staff recommends a resolution authorizing the use of the New Jersey State Contract T-0537 Air Conditioning, Heating, and Ventilating Repairs Parts; and

WHEREAS, pursuant to N.J.A.C. 5:34-7.1 et seq., the Chief Financial Officer has certified, in writing, the availability of sufficient funds in the Wastewater Operating Budget in the amount not to exceed \$80,000.00 for State Contract T-0537 Air Conditioning, Heating, and Ventilating Repairs Parts;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be “2013 Authorization to Execute Wastewater Purchase Orders Under New Jersey State Contract T-0537”, and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Authority's Executive Director is hereby authorized to execute appropriate documents through the Authority's established Purchase Requisition and Purchase Order Process for the purchase of materials, supplies and equipment under State Contract T-0537 Air Conditioning, Heating, and Ventilating Repairs Parts.

3. Funding for purchases of materials, supplies, and equipment under State Contract T-0537 shall be certified as ordered by the Chief Financial Officer, shall not exceed \$80,000.00, and shall be drawn against the Wastewater Operating Budget.

4. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION A-5-13-11-R

APPROVAL OF 2012 ANNUAL AUDIT - WASTEWATER DIVISION

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the Middlesex County Utilities Authority - Wastewater Division for the fiscal year ended December 31, 2012, has been completed and filed with the State of New Jersey, Department of Community Affairs pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, including the section entitled "General Comments and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comment and Recommendations" in accordance with N.J.S.A. 40A:5A-17;

NOW, THEREFORE, BE IT RESOLVED by the Authority and the members or commissioners thereof as follows:

1. For all future references the title of this resolution shall be "Approval of 2012 Annual Audit by MCUA Commissioners - Wastewater Division".

2. The governing body of the Middlesex County Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing member has personally reviewed the annual audit report for the Middlesex County Utilities Authority - Wastewater Division for the fiscal year ended December 31, 2012 and specifically has reviewed the section of the audit report entitled "General Comments and Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

3. The Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

RESOLUTION A-5-13-12-R

APPROVAL OF 2012 ANNUAL AUDIT - SOLID WASTE DIVISION

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the Middlesex County Utilities Authority - Solid Waste Division for the fiscal year ended December 31, 2012, has been completed and filed with the State of New Jersey, Department of Community Affairs pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report including the section entitled "General Comments and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the section of the annual audit report entitled "General Comments and Recommendations" in accordance with N.J.S.A. 40A:5A-17;

NOW, THEREFORE, BE IT RESOLVED by the Authority and the members or commissioners thereof as follows:

1. For all future references the title of this resolution shall be "Approval of 2012 Annual Audit by MCUA Commissioners - Solid Waste Division".

2. The governing body of the Middlesex County Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing member has personally reviewed the annual audit report for the Middlesex County Utilities Authority - Solid Waste Division for the fiscal year ended December 31, 2012 and specifically has reviewed the section of the audit report entitled "General Comments and Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

3. The Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

RESOLUTION NO. SW-5-13-13-R

CHANGE ORDER NO. 2
CONTRACT NO. 12-3SW
LANDFILL LEACHATE CONVEYANCE SYSTEM REPAIR
AT THE MIDDLESEX COUNTY LANDFILL

BARBELLA CONSTRUCTION SERVICES, LLC

WHEREAS, the Middlesex County Utilities Authority ("Authority") previously executed a contract with Barbella Construction Services, LLC for Contract No. 12-3SW/Landfill Leachate Conveyance System Repair at the Middlesex County Landfill; and

WHEREAS, the Authority's staff and Consulting Engineer have recommended to the Authority the approval and execution of a Change Order to said Contract for an amount not to exceed \$13,100.43 for the realignment of existing stormwater piping to properly connect with new MH-1A stub including excavation, driving plates for excavation support and installing forms and concrete at joints; and

WHEREAS, the Authority has determined that said Change Order does not cause the change orders executed on this Contract to exceed 20% of the Original Contract amount; and

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; and

WHEREAS, pursuant to N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer has certified, in writing, the availability of sufficient funds for said Change Order in the amount of \$13,100.43 to be paid from the Solid Waste Division Operating Budget; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Change Order No. 2, Contract No. 12-3SW/Landfill Leachate Conveyance System Repair at the Middlesex County Landfill - Barbella Construction Services, LLC" and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The following Change Order shall be and is hereby approved:

Contractor:	Barbella Construction Services, LLC
Contract Number:	Contract No. 12-3SW
Change Order Number:	2

Description of Work: For the realignment of existing stormwater piping to properly connect with new MH-1A stub including excavation, driving plates for excavation support and installing forms and concrete at joints.

Original Amount: \$1,078,000.00

Change Order Amount: \$13,100.43

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order.
4. Payment not to exceed \$13,100.43 for said Change Order shall be drawn against the Solid Waste Division Operating Budget.
5. This Resolution shall take effect following Freeholder review, pursuant to law.

RESOLUTION NO. SW-5-13-14-R

CHANGE ORDER NO. 3
CONTRACT NO. 12-3SW
LANDFILL LEACHATE CONVEYANCE SYSTEM REPAIR
AT THE MIDDLESEX COUNTY LANDFILL

BARBELLA CONSTRUCTION SERVICES, LLC

WHEREAS, the Middlesex County Utilities Authority ("Authority") previously executed a contract with Barbella Construction Services, LLC for Contract No. 12-3SW/Landfill Leachate Conveyance System Repair at the Middlesex County Landfill; and

WHEREAS, the Authority's staff and Consulting Engineer have recommended to the Authority the approval and execution of a Change Order to said Contract for an amount not to exceed \$24,746.13 and an additional 25 calendar days (7 days of which are specifically related to the work tasks detailed herein and 18 days related to overall contract tasks) in order to upgrade an existing four inch line, perform investigatory activities on an existing twelve/fourteen inch line and correct grades for an existing ten inch line; and

WHEREAS, the Authority has determined that said Change Order does not cause the change orders executed on this Contract to exceed 20% of the Original Contract amount; and

WHEREAS, said Change Order has been deemed to be in the best interests of the Authority; and

WHEREAS, pursuant to N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer has certified, in writing, the availability of sufficient funds for said Change Order in the amount of \$24,746.13 to be paid from the Solid Waste Division Operating Budget; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Change Order No. 3, Contract No. 12-3SW/Landfill Leachate Conveyance System Repair at the Middlesex County Landfill - Barbella Construction Services, LLC" and all subsequent documents associated with the matters addressed herein shall reference this Title.
2. The following Change Order shall be and is hereby approved:

Contractor:	Barbella Construction Services, LLC
Contract Number:	Contract No. 12-3SW
Change Order Number:	3

Description of Work: An additional 25 calendar days (7 days of which are specifically related to the work tasks detailed herein and 18 days related to overall contract tasks) in order to upgrade an existing four inch line, perform investigatory activities on an existing twelve/fourteen inch line and correct grades for an existing ten inch line.

Original Amount: \$1,078,000.00

Change Order Amount: \$24,746.13

3. The appropriate Officers and Staff of the Authority are hereby authorized and directed to execute said Change Order.
4. Payment not to exceed \$24,746.13 for said Change Order shall be drawn against the Solid Waste Division Operating Budget.
5. This Resolution shall take effect following Freeholder review, pursuant to law.

RESOLUTION NO. SW-5-13-15-R

**CONTRACT AWARD - CONTRACT NO. 13-2SW
PURCHASE OF A LANDFILL ARTICULATED DUMP TRUCK
FOR THE MIDDLESEX COUNTY LANDFILL**

FOLEY, INCORPORATED

WHEREAS, the Middlesex County Utilities Authority (“Authority”) publicly advertised for bids for a contract entitled “Purchase of a Landfill Articulated Dump Truck for the Middlesex County Landfill / Contract No. 13-2SW,” hereinafter referred to as the (“Contract”) and

WHEREAS, on May 22, 2013, the Authority received and publicly opened bids submitted for the Contract; and

Foley, Inc. (“Foley”):

Bid Item No. 1, lump sum price:	\$550,776.00
Bid Item No. 2, price for three-year repurchase option:	\$211,500.00
Bid Item No. 3, price for one-year repurchase option:	\$423,000.00
Bid Item No. 4, Preventive Maintenance Agreement	\$ 59,583.75
Bid Item No. 5, Trade In	\$ 90,000.00

Bid calculated as per specifications:

Bid Item 1:	\$550,776.00
Less 70% of Bid Item 2:	(\$148,050.00)
Less 90% of Bid Item 3:	(\$380,700.00)
Bid Item 4:	\$ 59,583.75
Less Bid Item 5:	<u>(\$ 90,000.00)</u>
TOTAL BID FOR COMPARISON:	\$ (8,390.25)

Jesco:

Bid Item No. 1, lump sum price:	\$564,467.00
Bid Item No. 2, price for three-year repurchase option:	\$186,000.00
Bid Item No. 3, price for one-year repurchase option:	\$372,000.00
Bid Item No. 4, Preventive Maintenance Agreement	\$ 76,464.00
Bid Item No. 5, Trade In	\$150,000.00

Bid calculated as per specifications:

Bid Item 1:	\$564,467.00
Less 70% of Bid Item 2:	(\$130,200.00)
Less 90% of Bid Item 3:	(\$334,800.00)
Bid Item 4:	\$ 76,464.00
Less Bid Item 5:	<u>(\$150,000.00)</u>
TOTAL BID FOR COMPARISON:	\$ 25,931.00

WHEREAS, according to the method of calculation set forth in the bid package as the required method of bid comparison Foley Inc.'s bid of negative \$8,390.25, is the lowest responsible and responsive bid;

WHEREAS, pursuant to N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer has certified, in writing, the availability of sufficient funds for the Contract in the amount of \$610,359.75 (\$550,776.00 for Bid Item No. 1 plus \$59,583.75 for Bid Item No. 4) to be paid from the Solid Waste Division Operating Budget.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be "Contract Award – Contract No. 13-2SW/Purchase of a Landfill Articulated Dump Truck for the Middlesex County Landfill – Foley, Incorporated", and all subsequent documents concerning the matters addressed herein shall reference this title.
2. The Commissioners find Foley Inc. to be the lowest responsive and responsible bidder for the Contract, and award the Contract to Foley, Inc., 855 Centennial Avenue, Piscataway, New Jersey 08855 for a total bid price of \$550,776.00 (Five Hundred Fifty Thousand, Seven Hundred Seventy-Six Dollars) with trade-in and repurchase options as stated in the specifications.
3. Payment not to exceed \$610,359.75 (\$550,776.00 for Bid Item No. 1 plus \$59,583.75 for Bid Item No. 4) for said Project shall be drawn against the Solid Waste Division Operating Budget.
4. The Executive Director is hereby authorized and directed to notify Foley, Incorporated of the acceptance of its bid, and the Chairman or Vice Chairman and Secretary are authorized to execute any and all contracts with said bidder as required by the Contract.
5. The Bid Security of the unsuccessful bidder shall be returned to said unsuccessful bidder upon receipt, by the Authority, of executed Contracts by the successful bidder together with a Performance Bond and required Certificates of Insurance.
6. This Resolution shall take effect upon the expiration of the Freeholder review period, in accordance with law.

RESOLUTION NO. SW-5-13-16-R

**AUTHORIZATION AND VERIFICATION OF DISCRETIONARY CLOSURE
ACCOUNT FOR PHASE II FOR LANDFILL CLOSURE AND POST-CLOSURE
FINANCIAL PLAN**

WHEREAS, the Middlesex County Utilities Authority (the "Authority") owns and operates the Middlesex County Landfill located at Edgeboro Road, East Brunswick Township, New Jersey; and

WHEREAS, as part of the New Jersey Department of Environmental Protection (the "NJDEP") approval to operate the Landfill (Facility No. 132314), NJDEP reviews and approves the Closure and Post-Closure Financial Plan every two years; and

WHEREAS, the Authority established a NJDEP Statutory \$1.00/ton Escrow Fund and a Discretionary Closure Account for Phase II to provide for the financial assurance required by NJDEP regulations; and

WHEREAS, in a letter dated February 7, 2013, the NJDEP reviewed the "Two-Year Update of the Closure and Post-Closure Financial Plan" dated April 10, 2012 and required that the Authority provide verification of the account balance for the Discretionary Closure Account for Phase II and a certified resolution that the Discretionary Fund will be dedicated to be used only for closure or post-closure activities, which activities will require the NJDEP approval for fund withdrawals; and

WHEREAS, the Authority agrees that the Discretionary Fund will be utilized until the funds in the NJDEP Statutory \$1.00/ton Escrow Fund are sufficient to cover the remaining portion of the thirty (30) year post-closure costs; and

WHEREAS, the Authority agrees to establish an Escrow Account and execute an Alternate Funds Standard Escrow Agreement (AFSEA) in the form required by NJDEP and place in escrow in the Escrow Account the sum of \$35,384,825.18; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference, the title of this Resolution shall be "Authorization and Verification of Discretionary Closure Account for Phase II for Landfill Closure and Post-Closure Financial Plan" and all subsequent documents concerning the matters addressed herein shall reference this title.

2. The balance of the Discretionary Closure Account for Phase II as of May 31, 2013 will be \$35,384,825.18.

3. The Discretionary Closure Account for Phase II has been established to supplement the costs of closure and post-closure tasks of the Middlesex County Landfill in accordance with the most recent approved Financial Plan.

4. The Discretionary Closure Account for Phase II will be utilized until the funds in the NJDEP Statutory \$1.00/ton Escrow Account are sufficient to cover the remaining portion of the 30 year post-closure costs.

5. The Authority shall establish an Escrow Account for the Discretionary Closure Account and place the sum of \$35,384,825.18 in the Escrow Account.

6. The Authority shall execute an Alternate Funds Standard Escrow Agreement, the form of which is attached hereto.

7. The Chairman is authorized to execute the Alternative Funds Standard Escrow Agreement.

8. This Resolution shall take effect upon the expiration of the Freeholder review period in accordance with law.

RESOLUTION NO. SW-5-13-17-R

**AUTHORIZATION FOR COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE MIDDLESEX COUNTY UTILITIES AUTHORITY SOLID WASTE DIVISION
AND UNITED SERVICE WORKERS, LOCAL 255,
IUJAT- AMENDMENT NO. 2**

WHEREAS, on November 10, 1998, Equipment Operators, Landfill Utility/Laborers, Mechanics and Mechanic Welders in the Solid Waste Division of the Middlesex County Utilities Authority (“Authority”) elected the Transportation Communications Union, Local 255, AFL-CIO, CLC (the “Negotiating Unit”) to serve as their exclusive representative for collective negotiations with respect to rates of pay, wages, hours of work and other conditions of employment; and

WHEREAS, the Authority’s Commissioners previously approved an Agreement with the Negotiation Unit by Resolution No. SW-12-07-11-R entitled “Collective Bargaining Agreement between the Middlesex County Utilities Authority/Solid Waste Division and Transportation Communications Union, Local 255, AFL-CIO, CLC-2007” (“Collective Bargaining Agreement”); and

WHEREAS, this Collective Bargaining Agreement was amended pursuant to Resolution No. SW-10-9-19-R which revised adjusted wages and extended the expiration date from September 30, 2010 to September 30, 2012; and

WHEREAS, the Negotiating Unit currently named United Services Workers Local 255, IUJAT with this name change reflected in Amendment No. 2; and

WHEREAS, the parties have negotiated the terms for Amendment No. 2 to the Collective Bargaining Agreement retroactively effective to October 1, 2012, as set forth in Attachment #1; and

WHEREAS, the Authority’s staff and Counsel have determined that the said negotiated terms for Amendment No. 2 to the Collective Bargaining Agreement is in the best interest of the Authority and have recommended approval and execution of same for the term of October 1, 2012 through September 30, 2016.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Middlesex County Utilities Authority as follows:

1. For all future reference the title of this Resolution shall be “Authorization for Collective Bargaining Agreement between the Middlesex County Utilities Authority/Solid Waste Division and United Service Workers, Local 255, IUJAT – Amendment No. 2” and all subsequent documents associated with the matters addressed herein shall reference this Title.

2. The Authority's Counsel and staff are hereby authorized to prepare and finalize the necessary documents for Amendment No. 2 to said Collective Bargaining Agreement consistent with the terms set forth in Attachment #1 hereto, and the Chairman or Vice Chairman and Secretary are hereby authorized to execute an Agreement to implement this authorization.

3. The term of said Amended Collective Bargaining Agreement shall be from October 1, 2012 through September 30, 2016.

4. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.

RESOLUTION NO. SW/WW-5-13-18-R

**RESOLUTION TO REVISE THE FIXING AND DETERMINING THE
APPOINTMENT, CLASSIFICATION AND SALARY RANGE
FOR EMPLOYEES OF THE
MIDDLESEX COUNTY UTILITIES AUTHORITY**

BE IT RESOLVED by the Middlesex County Utilities Authority and the members or Commissioners thereof:

1. The Middlesex County Utilities Authority hereby authorizes revisions to the number of positions and 2013 salary ranges of the Authority personnel for the calendar year in accordance with the schedules attached as a result of Labor Contract Amendment.

2. The Executive Director is empowered to fix the salary of personnel within the ranges specified on the Schedule based on their performance. Such salary determinations shall be considered effective immediately.

3. This Resolution shall take effect upon expiration of the Freeholder veto period in accordance with law.