

MINUTES OF THE ORGANIZATION AND REGULAR MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY – THURSDAY, FEBRUARY 27, 2014 – 4:30 P.M.

A Regular Meeting and Organization Meeting of the Middlesex County Utilities Authority was held at the Authority Board Room, Main Street Extension, Sayreville, New Jersey on Thursday, February 27, 2014.

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 4:30 P.M.

Present were: Chairman Ted Light; Vice Chairman John Wiley; Commissioners: Edward Cohen, Antonio Cruz, Wayne Hamilton, Joseph Juliano, Robert Karabinchak, Raymond Murray and James Zullo.

Absent were: Commissioner Linda Carter and Jerome Convery.

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

OATH OF OFFICE

Commissioner John Wiley administered the Oath of Office to Robert Karabinchak. The Board congratulated Commissioner Karabinchak on his reappointment as Commissioner.

ELECTION OF OFFICERS

The first order of business was the Election of Officers for the year 2014. Mr. John Hoffman, Esq. stated that nominations were in order for the election of Chairman of the Middlesex County Utilities Authority for the year 2014.

Commissioner Juliano nominated Ted Light to the position of Chairman and John Wiley to the position of Vice Chairman. Commissioner Cohen seconded the nominations.

There being no other nominations, John Hoffman asked for a motion to close the nominations and to appoint Ted Light as Chairman and John Wiley as Vice Chairman. Motion was made by Commissioner Juliano, seconded by Commissioner Cohen and carried.

John Hoffman administered the Oath of Office to Chairman Ted Light and Vice Chairman John Wiley. They both thanked the Board for their appointments.

ORGANIZATION MEETING

The meeting opened with the Pledge of Allegiance.

Mr. Fitamant explained to the Board that most of the Professional Service appointments for consideration during the reorganization meeting will exceed a value of \$17,500.00 requiring the procedure under the Pay to Play Act to be followed. The Fair and Open process under the Act was used to procure the professional services.

PUBLIC PORTION ON RESOLUTIONS FOR ORGANIZATION MEETING

Chairman Light asked if any members of the public wished to address the Board. There were no members of the Public that wished to be heard.

RESOLUTIONS

Resolution A-2-14-01-A

Annual Appointment of Authority Officers/Executives - 2014

Resolution SW/WW-2-14-02-A

Annual Appointment of General and Construction Counsel – 2014 – Wilentz, Goldman and Spitzer, P.A.

Resolution SW/WW-2-14-03-A

Annual Appointment of Supplemental Counsel – 2014 – Hoagland, Longo, Moran, Dunst & Doukas

Resolution WW-2-14-04-A

Annual Appointment of Consulting Engineer – Wastewater Division – 2014 – R3M Engineering, Inc.

Resolution WW-2-14-05-A

Annual Appointment of Auditor – Wastewater Division – 2014 – ParenteBeard, LLC.

Resolution SW-2-14-06-A

Annual Appointment of Auditor – Solid Waste Division – ParenteBeard, LLC.

Resolution SW/WW-2-14-07-A

Annual Appointment of Insurance Consultant – 2014 – Governmental Risk Management Associates, Inc.

Resolution SW-2-14-08-A

Annual Appointment of Consulting Engineer – Solid Waste Division – 2014 – CDM Smith, Inc.

Resolution A-2-14-09-A

Annual Designation of Official Depositories of the Middlesex County Utilities Authority

Resolution A-2-14-10-A

Annual Designation of Annual and Regular Meetings of the Middlesex County Utilities Authority

Resolution A-2-14-11-A

Annual Designation of Official Newspapers of the Middlesex County Utilities Authority

Resolution A-2-14-12-A

Annual Appointment of Public Agency Compliance Officer

The above resolutions were presented and moved for adoption by Commissioner Karabinchak. The motion was seconded by Vice Chairman Wiley and the following members voted Aye:

Chairman Light, Vice Chairman Wiley; Commissioners: Hamilton, Juliano, Karabinchak, Murray and Zullo.

Commissioner Cruz was not present for this vote.

Nays: None

(See Appendix Nos. 1-12)

Motion to adjourn the Annual Meeting was made by Commissioner Zullo, Seconded by Vice Chairman Wiley and carried.

REGULAR MEETING

APPROVAL OF MINUTES

Motion for approval of the Minutes of the Regular Meeting of Thursday, January 23, 2014 was made by Commissioner Murray, seconded by Vice Chairman Wiley and carried.

Commissioners: Hamilton and Juliano abstained.

PUBLIC ON RESOLUTIONS

Chairman Light asked if anyone from the audience would like to address the board on any of the Resolutions. There were no members of the public that wished to address the Board.

RESOLUTIONS

Resolution No. WW-2-14-1-R

Contract Bid Award – Contract 13-11-4(SAPS) South Amboy Pump Station Generator Replacement – Envirocon, LLC. – Not to Exceed \$397,888.00

Mr. Fitamant reported that a total of nine (9) bids were received for the contract that involves the replacement of the Authority's 800Kw generator at the South Amboy Pump Station that was destroyed during Hurricane Sandy. The low bid was received by Envirocon, LLC in the amount of \$397,888.00. Mr. Fitamant further reported that this work was viewed as ineligible by FEMA and the Authority is in the process of appealing that decision.

Mr. John Hoffman, Esq. questioned why this item would be ineligible.

Mr. Fitamant responded stating that FEMA's initial determination found that the generator was not directly damaged from Flood waters.

Resolution No. WW-2-14-2-R

Contract Award – Repair Parts Service for Scarab 2014 – Scarab Manufacturing and Leasing, LLC. – Not to Exceed \$35,000.00

Resolution No. WW-2-14-3-R

Contract Bid Award – Contract 14-1-1(CTP)(Rebid)/Supply & Delivery of Catalog Purchased Power Train Parts and Supplies 2014-2015 – Kaman Industrial Technologies Corporation – Not to Exceed \$200,000.00

Resolution No. WW-2-14-4-R

Change Order No. 8 – HSR to Contract No. 10-6-1(CTP)/Rehabilitation of Main Substation Apparatus & Standby Services for NETA Maintenance Testing – M&L Power Systems, Inc.

Mr. Fitamant reported that this resolution is for completion of final punch list work and a time extension through March 1, 2014.

Resolution No. WW-2-14-5-A

Resolution of Middlesex County Utilities Authority Authorizing Filing of Applications for Interim and Permanent Loans, and to the Extent Available, Grants, From the State FY 2014-15 New Jersey Environmental Infrastructure Trust Financing Program for Various Sewer Division Projects

Mr. Fitamant reported that Applications for financing through the State's Loan Program for the following four (4) projects are due to the State by Monday, March 3, 2014 for an amount of \$113.4 million:

1. Main Trunk Sewer (MTS) Rehabilitation (Phase 2)
2. Rehabilitation and Upgrade of Central Wastewater Treatment Plant Facilities (WWTP)
3. Restoration and Flood Mitigation for the Sayreville Pump Station (SPS)
4. Restoration and Flood Mitigation for the Edison Pump Station (EPS)

Mr. Fitamant explained the projects to the Commissioners, highlighting the fact that the two Pump Station Projects will be funded in part with FEMA grant proceeds and also spoke about the handout pertaining to the Sayreville Pump Station Project work scope and costs, and answered questions with regard to the projects.

Mr. Hoffman questioned why the Authority is looking for long term financing for the FEMA funded Projects instead of short term Financing.

Mr. Fitamant explained that FEMA Grant proceeds will not cover all Project Costs since the Grants covers 90% of the Project Costs. Also, certain Project work scope items are necessary, however, have been deemed ineligible by FEMA for which no Grant Funds have been received. The amount of grant proceeds to be received from FEMA are not yet known since a significant portion of the Project Costs are being developed and have not yet been reviewed by FEMA. Once final grant amounts are known, the balance of Project Costs not funded by FEMA will be financed Long Term. In addition, a commitment to a long term financing arrangement permits interim financing at 0% interest to cover Project Costs until FEMA Grant proceeds are received.

Commissioner Cohen is happy the Authority is making progress and once the technical decisions are made than we can figure out how to fund the repairs.

Commissioner Zullo asked for a breakdown of the cost for each project and questioned if there is any cost to make application to the NJEIT.

Mr. Fitamant reported that there are no costs involved to submit applications and the cost breakdown is as follows:

MTS, \$11.9 million, Rehab and Upgrade of WTP is \$18.2 million, SPS is \$73.3 million and EPS is \$15.1 million.

Resolution No. WW-2-14-6-R

Engineering Services to Provide Supplemental FEMA Related Technical Assessment and Reimbursement Services to the Authority for Storm Damage to the Authority's Facilities – Hatch Mott MacDonald – Not to Exceed \$180,000.00

Resolution No. SW/WW-2-14-7-R

Agreement to Provide Additional Legal Services for General and Construction Counsel 2013 – Wilentz, Goldman & Spitzer, P.A. – Not to Exceed \$175,000.00

Mr. Fitamant reported that the Fair and Open Procurement Process was followed. Two (2) responses were received from the RFQ, with WGS being the most qualified to continue with this work.

Vice Chairman Wiley questioned whether the Spectraserv litigation will reach trial this year.

Mr. Hoffman responded stating that hopefully in the fall the trial will begin.

Resolution No. SW/WW-2-14-8-R

Agreement for Engineering Services Related to the Landfill Gas System for the Solid Waste and Wastewater Divisions Amendment No. 1 – CDM Smith, Inc. – Not to Exceed \$21,286.00

Mr. Fitamant reported that the Fair and Open Procurement process was followed for Amendment No. 1 to Agreement for Engineering Services related to the LFG System. Four (4) responses were received. It was determined that CDM Smith was the most qualified firm to provide this service.

Resolution No. SW/WW-2-14-9-R

Agreement for Engineering Services Related to the Landfill Gas System for the Solid Waste and Wastewater Divisions – CDM Smith, Inc. – Not to Exceed \$372,980.00

Mr. Fitamant reported that the Fair and Open process pursuant to the Pay to Play act was followed for the procurement of Professional Services. Three (3) responses were received from the RFQ and CDM Smith provided the most favorable response. CDM Smith was requested to provide a proposal for services and is recommended to be awarded a contract.

Resolution No. SW/WW-2-14-10-R

Agreement for Land Surveying Services – Not to Exceed \$197,965.00

The Fair and Open Procurement process was followed to select a consultant to provide Land Surveying Services. Kurtz Consulting was the sole firm to respond to the solicitation; therefore, Kurtz Engineering was requested to provide a proposal for services and is recommended to be awarded a contract.

Resolution No. SW-2-14-11-R

Agreement for Engineering Services Related to Various Permitting and Monitoring Services for the Solid Waste Division – French & Parrello Associates, PA – Not to Exceed \$174,570.00

Mr. Fitamant reported that the Fair and Open Procurement process was followed in connection with Engineering services related to various permitting and monitoring for the SWD including the SWF permit and other activities and the MCUA received three (3) responses to the Request for Qualification. French & Parrello Associates was determined the most qualified firm and is recommended to be awarded a contract.

Resolution No. SW/WW-2-14-12-R

Agreement for Public Relations Services Extraordinary Unspecifiable Services – CN Communications International, Inc. – Not to Exceed \$75,000.00

Mr. Fitamant reported that the Fair and Open process was followed for selection of a Public Relations Firm. Two responses were received. One submission included qualifications primarily for website design and no public relations services. CN Communications is the most qualified firm and is recommended to be awarded a contract.

Resolution No. SW-2-14-13-R

Contract Award – Contract No. 14-1SW – The Abandonment and Installation of Inclinometers at the Middlesex County Landfill – Uni-Tech Drilling Company, Inc., - Not to Exceed \$135,510.00

The above resolutions were presented and moved for adoption, with numbering sequence changes on the Agenda for Resolution Nos. 2 and 3 and an amendment correcting recitation No. 1 to Resolution No. 5, by Vice Chairman Wiley. The motion was seconded by Commissioner Hamilton and the following members voted Aye:

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

Nays: None

(See Appendix Nos. 1-13)

PUBLIC

There were no members from the Public that wished to address the Board.

A copy of the Wastewater Division and Solid Waste Division Bill Lists were distributed to the Commissioners

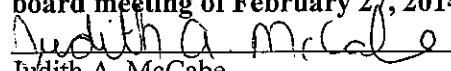
NEW BUSINESS

Mr. Fitamant reported that an Engineering Committee meeting will be held in March to discuss details regarding the Sayreville Pump Station Flood Restoration and Mitigation plans. Also a proposal that turns solid waste into green gasoline will be discussed preceded by a presentation on the process at the Committee Meeting.

Chairman Light reported that the next Commissioner Meeting will be held on March 27, 2014 at 4:00 p.m.

There being no further business, Chairman Light called for a motion to adjourn. Motion was made by Commissioner Murray at 4:55 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 February 27, 2014.


Judith A. McCabe