

**MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY –AUGUST 27, 2015 – 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, August 27, 2015.

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 and New Jersey Statutes.

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

Present were: Vice Chairman John Wiley; Commissioners: Edward Cohen, Jerome Convery, Joseph Juliano, Raymond Murray and James Zullo.

Absent were: Chairman Ted Light; Commissioners: Linda Carter, Antonio Cruz, Wayne Hamilton and Robert Karabinchak.

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

**PUBLIC HEARING**

Vice Chairman Wiley opened the Public Hearing and turned the meeting over to Mr. John Hoffman, Esq.

Mr. Hoffman explained the Public Hearing is to discuss the Adoption of the 2015 Wastewater Connection Fee and Temporary Discharge Application Fee in the amount of \$17,169.98 per million gallons. Testimony under oath was given by Karen Sissick, Treasurer/Comptroller, and Kevin Aiello, Administrator of Environmental Quality, regarding the purpose of the fees and the manner which the fees are calculated. Documentary evidence was entered into the record. There was no public comment or questions on the testimony from the Public. The Public hearing was recorded by a court reporter.

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

Vice Chairman Wiley; Commissioners: Cohen, Convery, Juliano, Murray and Zullo.

Nays: None

**APPROVAL OF MINUTES**

Motion for approval of the Minutes of the Regular Meeting of Thursday, July 30, 2015 was made by Vice Chairman John Wiley seconded by Commissioner Zullo and carried.

Commissioners Cohen and Convery abstained.

## **PUBLIC PORTION ON RESOLUTIONS**

There were no comments from the public that wished to address the Board on any of the Resolutions.

## **REGULAR MEETING**

The meeting opened with the Pledge of Allegiance.

## **RESOLUTIONS**

### **Resolution No. A-8-15-1-R**

Adoption of 2015 Wastewater Connection Fee and Temporary Discharge Application Fee

### **Resolution No. WW-8-15-2-R**

Contract Bid Award – Contract 15-8-1(AC) Removal and Transportation of I.D. No.27 Waste 2016-2017 – Waste Management of New Jersey, Inc. – Not to Exceed \$195,025.00

### **Resolution No. WW-8-15-3-R**

Contract Bid Award – Contract 15-8-2(AC) Supply and Delivery of Lubrication Supplies 2016-2017 – David Weber Oil Company – Not to Exceed \$181,135.53

### **Resolution No. WW-8-15-4-R**

Authorize Agreement for the Sale of Class 1 Renewable Energy Certificates for Energy Year 2016 and Energy Year 2017 to PSEG Energy Resources and Trade, LLC

Mr. Fitamant reported that this resolution is in connection with the energy production through the Landfill Gas to Energy Project with the use of landfill gas, a renewable fuel source. The energy produced in megawatt hours, meet the requirement to be considered as a Class I Renewable Energy Credit which can be sold to power distributors. The MCUA received a bid from PSEG Energy Resources and Trade, LLC. to purchase the REC's for \$15.00 per MWH for FY2016 and \$15.50 for FY2017. This sale will provide \$1,050,000 in FY2016 and \$1,085,000 in FY2017

Mr. Hoffman further pointed out that this is only for the sale of 70,000 REC's annually and the MCUA can generate another approximately 35,000 REC's annually that can be sold on spot market for additional revenues to the Authority.

### **Resolution No. WW-8-15-5-R**

Authorization to Rebid Contract 15-7-6(AC) Supply and Delivery of Lime Kiln Dust 2016

### **Resolution No. WW-8-15-6-R**

Authorization Request to Increase Funding for the Emergency Repair of Main Outfall DSN001/Raritan Bay – Commercial Diving Services – Not to Exceed \$25,000.00

Mr. Fitamant reported that this resolution is for an increase in funding for Commercial Diving Services for final repair work to the Central Treatment Plant Main Outfall pipeline that was damaged.

### **Resolution No. WW-8-15-7-R**

Change Order No. 1 to Contract 14-3-5(SM) Ploughshare Mixer Parts Replacement – Cothery Construction Company, Inc. – Not to Exceed \$65,335.00

Mr. Fitamant reported that this resolution to supply one additional Mixer Shaft Assembly.

**Resolution No. WW-8-15-8-R**

Amendment No. 3 Amended and Restated to Agreement for Engineering Design and Bidding Services Related to Replacement of Electrical Substation Apparatus within the Wastewater Central Treatment Plant 2012 – Hatch Mott MacDonald – (\$335,550.80)CREDIT

Mr. Fitamant reported that this resolution is for a \$335,550.80 credit to address an incorrect authorization of funding and work scope from Resolution No. WW-10-14-15-R. This authorization should have been applied to another HMM Agreement. This resolution also includes a time extension through October 2015.

**Resolution No. WW-8-15-9-R**

Amendment No. 1 to Agreement for Engineering Bidding and Construction Engineering Services for the Rehabilitation and Upgrades of Various 35KV Thru Medium Power Distribution Systems and Unit Substations - Hatch Mott MacDonald – Not to Exceed \$325,480.80

Mr. Fitamant reported that this resolution is for an Amendment to include the \$335,550.80 of work removed from Amendment No. 3 and to correct a math error that was discovered in HMM's original proposal.

**Resolution No. WW-8-15-10-R**

Authorization of Settlement, Release and Covenant Not to Sue

Mr. Fitamant reported that this resolution is for a Settlement with the Raritan Bay Clammers.

Mr. Hoffman further stated that the Raritan Bay Clammers had a suit against the MCUA and others, including Passaic Valley Sewerage Commissioner (PVSC). The MCUA and PVSC agreed to settle this claim at a cost to the MCUA of \$30,000.00 to avoid litigation, and litigation costs.

**Resolution No. SW-8-15-11-R**

Bid Rejecting and Authorization to Rebid – Contract No. 15-7SW - Purchase of a Wheel Loader for the Middlesex County Landfill

Mr. Fitamant reported that this resolution is for a Bid rejection and authorization to rebid. The MCUA received one bid, from Foley, Inc., that was found to be non-conforming.

**Resolution No. SW-8-15-12-R**

Authorization to Extend Contract Term – Contract No. 14-7SW – Furnishing Off-Road Tires for Various Heavy Equipment for the Middlesex County Landfill – F&S Tire Corp, Inc. – Not to Exceed \$43,120.00

**Resolution No. SW-8-15-13-R**

Contract No. 15-5SW – Resolution Rejecting Bids for Landfill Exit Improvements at the Middlesex County Landfill

Mr. Fitamant reported that this resolution is for a bid rejection and authorization to rebid. A total of five (5) bids were received but the bid prices were significantly higher than the engineer's estimate.

**Resolution No. SW-8-15-14-R**

Agreement for Design and Construction Engineering Services for Fabricating and Installation of Six (three Primary and Three Secondary) Replacement Pump Station Electrical Panels and Stormwater Meter Replacement at the Middlesex County Landfill – Hatch Mott MacDonald – Not to Exceed \$132,859.80

Mr. Fitamant reported that this resolution is for the design services for preparation of a construction contract to install electrical panels and a stormwater meter replacement at the Middlesex County Landfill. The Fair and Open Process of the Pay to Play Act was followed and the MCUA received one response to a Request for Qualifications from Hatch Mott MacDonald. A request for proposal was issued and an acceptable proposal was received. The MCUA is looking to make the award to Hatch Mot MacDonald.

**Resolution No. A-8-15-15-R**

**Authorization of an Indemnity and Trust Agreement Between the Middlesex County Joint Municipal Joint Insurance Fund and the Middlesex County Utilities Authority to Provide Insurance Coverage**

Mr. Fitamant reported that this resolution is for the Authority to become a member of the Middlesex County Municipal Joint Insurance Fund for the Authority's insurances (general liability, public officials, workers comp, auto, and property insurances) at a cost savings of approximately \$80,000. in comparison to the current \$867,452. premium.

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

Vice Chairman Wiley; Commissioners: Cohen, Convery, Juliano, Murray and Zullo.

Nays: None

(See Appendix Nos. 1-15)

**PUBLIC**

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

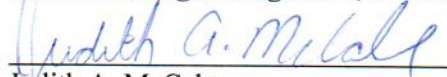
A copy of the Wastewater Division and Solid Waste Division Bill Lists were distributed to the Commissioners

**NEW BUSINESS**

Mr. Fitamant reported that a few days ago the MCUA received a call from the NJDEP to hold a press conference at the MCUA's Pump station. The Press Conference was for the NJEIT financing. The Press Conference was held today. The NJDEP selected our facility since the MCUA is receiving financing of \$121 million for Hurricane Sandy projects. The MCUA anticipates that FEMA funding will repay a substantial portion of any loans.

There being no further business, Vice Chairman Wiley called for a motion to adjourn. Motion was made by Commissioner Murray at 4:40 p.m., seconded by Commissioner Juliano and carried.

**I hereby certify that these minutes are a true and accurate summary of that which transpired at the MCUA board meeting of August 27, 2015 at which I was present.**

  
\_\_\_\_\_  
Judith A. McCabe