

**MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY – THURSDAY– AUGUST 25, 2016 – 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 Thursday, August 25, 2016.

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 Chairman Ted Light at 4:00 P.M.

Present were: Chairman Ted Light; Vice Chairman John Wiley; Commissioners: Jerome Convery, Antonio Cruz, Wayne Hamilton, Allan Jacobs, Joseph Juliano, Raymond Murray and James Zullo.

Absent was: Commissioner Linda Carter.

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

**PUBLIC HEARING**

Chairman Light opened the Public Hearing and turned the meeting over to Ms. Barbara Koonz, Esq.

Ms. Koonz explained the Public Hearing is to discuss the Adoption of the 2016 Wastewater Connection Fee and Temporary Discharge Application Fee in the amount of \$19,218.21 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 Vice Chairman Wiley to close the public hearing. The motion was seconded by Commissioner Zullo and the following members voted Aye:

Chairman Light; Vice Chairman Wiley; Commissioners: Convery, Cruz, Hamilton, Jacobs, Juliano, Murray and Zullo.

Nays: None

**REGULAR MEETING**

The meeting opened with the Pledge of Allegiance.

## APPROVAL OF MINUTES

Motion for approval of the Minutes of the Regular Meeting of Thursday, July 28, 2016 was made by Vice Chairman Wiley, seconded by Commissioner Juliano and carried.

## PUBLIC PORTION ON RESOLUTIONS

Chairman Light asked if anyone from the Public wished to be heard and recognized Mr. Jon Chipps from New Haven, Chlor-Alkali. Mr. Chipps also introduced Mr. Ross and Mr. Murthy from New Haven. Mr. Chipps handed out and read the attached letter to the Commissioners with regard to Resolution No. WW-8-16-5-R – Supply and Delivery of Liquid Sodium Hypochlorite 15% - Contract 16-7-1(AC).

Ms. Koonz explained that this is an issue with the bid specifications and the board has the right to reject all bids and rebid to revise the specifications.

Mr. Chipps explained that this grievance is not with the MCUA Board but with their competitor that is protesting the award of this bid. Mr. Chipps explained that their Competitor had won the bid in prior years that included the exact same language. He is asking if the Board could put this resolution on hold for 30 days to give legal department more time to review because he feels strongly that they fully meet the specifications.

Chairman Light reported that the MCUA is planning on holding a Special Meeting on September 8<sup>th</sup> with regard to another matter. The board agreed to postpone this Resolution until September 8<sup>th</sup>.

## RESOLUTIONS

### **Resolution No. A-8-16-1-R**

#### Adoption of 2016 Wastewater Connection Fee and Temporary Discharge Application Fee

Resolution A-8-16-1-R – Adoption of 2016 Wastewater Connection Fee and Temporary Discharge Application Fee was presented and moved for adoption by Commissioner Hamilton. The motion was seconded by Commissioner Zullo and the following members voted Aye:

Chairman Light; Vice Chairman Wiley; Commissioners: Convery, Cruz, Hamilton, Jacobs, Juliano, Murray and Zullo.

Nays: None

(See Appendix No. 1)

### **Resolution No. A-8-16-2-R**

#### Pretreatment Permit Action Nos. 28226, 07194, 05209 and 11064

Musculoskeletal

### **Resolution No. WW-8-16-3-R**

Contract Bid Award – Contract 16-7-4(AC) – Supply and Delivery of Liquid Caustic Soda 2017-2018 – Brenntag Northeast, Inc. – Not to Exceed \$38,600.00

### **Resolution No. WW-8-16-4-R**

Contract Bid Award – Contract 16-7-5(AC) – Supply and Delivery of Sulfuric Acid 93% 2017-2018 – Brenntag Northeast, Inc. – Not to Exceed \$133,000.00

**Resolution No. WW-8-16-6-R**

Approval of Emergency Purchase Order for Electrical Repairs at the Edison Pump Station – High Energy Electrical Testing – Not to Exceed \$30,000.00

Mr. Fitamant reported that an electrical surge occurred that caused the main electrical service switchgear to fail at the Edison Pump Station as a result of testing by a Utility in connection with the Solar Project. In order to properly reconnect to the electrical utilities, the MCUA was in need of the services of Hi Energy to perform this emergency service to restore power and perform necessary repairs.

**Resolution No. WW-8-16-7-R**

Authorization to Increase the Authorized Funding of Wastewater Purchase Orders Under New Jersey State Contract M-0002 – Industrial/MRO Supplies and Equipment

**Resolution No. SW-8-16-8-R**

Contract Award – Contract No. 16-5SW – Furnishing Off-Road Tires for Various Heavy Equipment for the Middlesex County Landfill – F&S Tire Corp., Inc. – Not to Exceed \$40,896.00

**Resolution No. SW-8-16-9-R**

Approving Execution of the Eighth Amended Host Municipality Agreement Between the Middlesex County Utilities Authority and the Township of East Brunswick.

Mr. Fitamant explained that this is the 8<sup>th</sup> amendment to the agreement between East Brunswick and the Middlesex County Landfill. New Jersey State Statutes requires landfill facilities to provide benefits to a host municipality. There is no change to the benefits currently being provided and this amendment is for extending the agreement for a ten (10) year period which will expire on December 31, 2026.

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

Chairman Light; Vice Chairman Wiley; Commissioners: Convery, Cruz, Hamilton, Jacobs, Juliano, Murray and Zullo.

Nays: None

(See Appendix Nos. 2-4 and 6-9)

**Resolution No. WW-8-16-5-R**

Rejection of all Bids – Contract 16-7-1(AC) – Supply and Delivery of Liquid Sodium Hypochlorite 15% - 2017

Mr. Fitamant reported that this resolution is for the rejection of all bids received. There was a concern raised through bid protest regarding the ph value limits in the bid documents and the values submitted with the bids.

After discussions with Commissioners and Council, this Resolution will be postponed.

**PUBLIC**

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

**COMMITTEE REPORTS**

Commissioner Murray reported that an Engineering Committee Meeting was held at 3:00 p.m. to review the current status of the Sayreville and Edison Pumping Station Construction Contracts and engineering contract cost were discussed.

Commissioner Convery reported that a Personnel Committee Meeting was held today at 3:40 p.m. and there is nothing to report.

**EXECUTIVE SESSION**

A motion was made by Vice Chairman Wiley to enter into Executive Session, seconded by Commissioner Zullo and carried.

Upon completion of the Executive Session, Ms. Koonz, Esq. reported that during Executive Session, a possible Litigation matter was discussed and no action will be taken at today's meeting.

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

Chairman Light reported that there is a possibility of a Special Meeting to be held on September 8, 2016 at 4:00 p.m.

There being no further business, Chairman Light called for a motion to adjourn. Motion was made by Commissioner Convery at 5:25 p.m., seconded by Commissioner Murray 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 25, 2016 at which I was present.**

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Judith A. McCabe