

MINUTES OF THE ORGANIZATION AND REGULAR MEETING OF THE MIDDLESEX COUNTY UTILITIES AUTHORITY – TUESDAY, FEBRUARY 23, 2021 – 4:00 P.M.

A Regular Meeting and Organization Meeting of the Middlesex County Utilities Authority was held via Teleconference at the Authority Board Room, Main Street Extension, Sayreville, New Jersey on Tuesday, February 23, 2021.

Notices of the meeting were mailed to the Clerks and the News Media - The Courier News 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 John Wiley; Commissioners: Jerome Convery, Antonio Cruz, Allan Jacobs, Joseph Juliano, Raymond Murray, Rebecca Williams, and James Zullo

Absent was: Commissioner Robert Diehl.

Also present were: Executive Director, Joseph Cryan; William Northgrave, Esq., General/Construction Counsel; and Karen Sissick, Comptroller.

ORGANIZATION MEETING

The meeting opened with the Pledge of Allegiance and turned over to Mr. Northgrave to serve a Chair Pro Tem.

ELECTION OF OFFICERS

The first order of business was the Election of Officers for the year 2021. Mr. Northgrave. stated that nominations were in order for the election of Chairman of the Middlesex County Utilities Authority for the year 2021.

Commissioner Light nominated John Wiley to the position of Chairman. Commissioner Cruz seconded the nomination.

There being no other nominations, the following members voted Aye to appoint John Wiley as Chairman of the MCUA:

Commissioners: Light, Wiley, Convery, Cruz, Jacobs, Juliano, Murray, Williams and Zullo.

Nays: None

The next order of business was for the Election of Office for the position of Vice Chairman for the year 2021. Mr. Northgrave asked for nominations for the position of Vice Chairman. Chairman Wiley nominated Commissioner Light and the nomination was seconded by Commissioner Convery. There being no other nominations, the following members voted Aye to appoint Ted Light as Vice Chairman:

Chairman Wiley: Commissioners: Light, Convery, Cruz, Jacobs, Juliano, Murray, Williams and Zullo.

Nays: None

Mr. Northgrave administered the Oath of Office to Chairman Wiley and Vice Chairman Light. The Board congratulated both on their appointments.

PUBLIC PORTION ON RESOLUTIONS FOR ORGANIZATION MEETING

Chairman Wiley asked if any members of the public wished to address the Board and acknowledged Charles Kratovil. Mr. Kratovil questioned Resolution No. SW/WW-2-21-6-A asking if this is the same firm that he stated was under attorney general investigation for alleged “pay to play” violations and what process has been used to select this vendor.

Mr. Cryan responded stating that the MCUA followed a Request for Qualification process further explaining that the MCUA has been dealing with North American directly and the work provided by this firm has been outstanding.

RESOLUTIONS

- a. **Resolution SW/WW-2-21-1-A – Retention of McManimon, Scotland & Baumann, LLC. To Provide Legal Counsel Services for the Fiscal Year 2021 – Not to Exceed \$950,000.00**
- b. **Resolution SW/WW-2-21-2-A – Retention of Hoagland, Longo, Moran, Dunst & Doukas, LLP to Provide Supplemental Legal Counsel Services for Fiscal Year 2021 – Not to Exceed \$60,000.00**
- c. **Resolution SW/WW-2-21-3-A – Retention of Wiss & Company, LLP. Accountants & Consultants to Provide Audit Services for the Solid Waste and Wastewater Divisions for Fiscal Year 2021 – Not to Exceed \$114,805.00**
- d. **Resolution WW-2-21-4-A – Retention of R3M Engineering, Inc. to Provide General Engineering Consulting Services for the Wastewater Division for Fiscal year 2021 – Not to Exceed \$1,933,500.00**
- e. **Resolution SW/WW-2-21-5-A – Retention of NW Financial Group, LLC to Provide Financial Investment and Advisory Services for the Solid Waste and Wastewater Divisions for Fiscal Year 2021 - Not to Exceed \$150,000.00**
- f. **Resolution SW/WW-2-21-6-A – Retention of Acrisure, LLC d/b/a North American Insurance Management Corporation (“NAIMC”) to Provide Insurance Consulting Services for the Solid Waste and Wastewater Divisions for Fiscal Year 2021 – Not to Exceed \$34,000.00**
- g. **Resolution SW-2-21-7-A – Authorizing 2021 Annual Appointment of Consulting Engineer – Solid Waste Division – 2021 – CME Associates – Not to Exceed \$862,002.00**
- h. **Resolution No. A-2-21-8-A - Annual Appointment of Authority Officers/Executives - 2021**
- i. **Resolution A-2-21-9-A - Annual Designation of Official Depositories of the Middlesex County Utilities Authority**

- j. **Resolution A-2-21-10-A - Annual Designation of Annual and Regular Meetings of the Middlesex County Utilities Authority**
- k. **Resolution A-2-21-11-A - Annual Designation of Official Newspapers of the Middlesex County Utilities Authority**
- l. **Resolution A-2-21-12-A - Annual Appointment of Public Agency Compliance Officer**
- m. **Resolution A-2-21-13-A – Authorizing the Appointment of a Certifying Officer for the Public Employees Retirement System for the Middlesex County Utilities Authority - 2021**

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

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

Nays: None

(See Appendix Nos. 1-13)

REGULAR MEETING

APPROVAL OF MINUTES

Motion for approval of the Minutes of the Regular Meeting of January 26, 2021 was made by Vice Chairman Wiley seconded by Commissioner Murray and carried.

Abstain: Commissioner Williams

Executive Director Joe Cryan thanked Ted Light for his many years of service as the Chairman to the Board for the past 24 years. Ted Light was involved with many milestones of the MCUA, outlining a few and thanked Ted Light for his leadership.

COMMITTEE REPORTS

A Personnel Committee Meeting was held on Monday, February 22, 2021

An Engineering Committee Meeting took place on Tuesday, February 23, 2021

PUBLIC PORTION ON RESOLUTIONS.

Chairman Wiley asked if anyone from the Public wished to address the board and acknowledged Charles Kratovil. Mr. Kratovil questioned Resolution No. SW/WW-2-21-12-R.

Mr. Cryan explained that this resolution is for a title change for two MCUA Employees and also adding one position to the salary roster.

The Executive Director gave a brief summary on each of the Resolutions listed below:

RESOLUTIONS

- a. **Resolution No. A-2-21-1-R - Pretreatment Permit Action Nos. 20075 and 14192**
- b. **Resolution No. WW-2-21-2-R – Authorizing Final Quantities Change Order No. 3 to Contract 14-1-3(MT) – Main Trunk Sewer Rehabilitation – Phase II – Spiniello Companies – (\$51,031.00) CREDIT**
- c. **Resolution No. WW-2-21-3-R – Authorizing Contract Award - Contract No. 20-12-1(CTP) – MeadowLife Conveyor Belt Maintenance 2021-2023 - Cothery Construction Company, Inc. – Not to Exceed \$809,000.00**
- d. **Resolution No. SW/WW-2-21-4-R –Authorization of Amendment No. 1 to Contract 19-5-6(CC) with Hackensack Meridian Health Occupational Health for Medical Surveillance Program Services 2019-2021 - Not to Exceed \$320,386.00 (Total Authorized Funding)**
- e. **Resolution No. WW-2-21-5-R – Contract Award to Accenture LLP to Provide Information Technology/Cyber Security Services for the Fiscal Year 2021 – Not to Exceed \$421,072.00**
- f. **Resolution No. SW/WW-2-21-6-R – Authorization to Execute Solid Waste and Wastewater Purchase Orders Under Various New Jersey State Contracts**
- g. **Resolution No. SW/WW-2-21-7-R - Authorizing Agreement for Engineering Services Related to the Landfill Gas System for the Solid Waste and Wastewater Divisions – T&M Associates – Not to Exceed \$345,500.00**
- h. **Resolution No. SW/WW-2-21-8-R - Authorizing Agreement for Land Surveying Services Kurtz Consulting Engineers and Planners, PC – Not to Exceed \$266,125.00**
- i. **Resolution No. SW-2-21-9-R – Authorizing Contract Award for Contract No. 21-1SW - Supply Odor Control Products for the Middlesex County Landfill – Chemstation Philadelphia, Ltd. – Not to Exceed \$179,450.00 (Year One)**
- j. **Resolution No. SW-2-21-10-R - Authorizing Approval of Change Order No. 1 – (Final Quantities Credit) for Contract No. 20-7SW (Rebid) Miscellaneous Paving at the Middlesex County Landfill - Fischer Contracting, Inc. – (\$87,110.11)CREDIT**
- k. **Resolution No. SW-2-21-11-R - Resolution Authorizing the Execution of a Contract with Foley, Incorporated for the Purchase of a Caterpillar Hydraulic Excavator (325CFR) through the Educational Services Commission Of New Jersey Cooperative – Not to Exceed \$246,410.00**

I. **Resolution No. SW/WW-2-21-12-R – Resolution to Revise the Fixing and Determining the Appointment, Classification and Salary Range for Employees of the Middlesex County Utilities Authority**

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

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

Nays: None

(See Appendix Nos. 1-12)

Motion to approve the Solid Waste Division and Wastewater Division Payment of Bills was moved by Chairman Light. The motion was seconded by Commissioner Murray and carried.

PUBLIC

Chairman Wiley asked if anyone from the Public wished to address the board and recognized Mr. Charles Kratovil. Mr. Kratovil reviewed the responsibility hearing records regarding Longo and why the MCUA would award a contract to that firm.

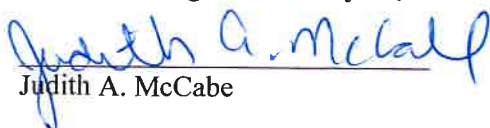
Chairman Wiley stated that the board had to make a judgement call and decide if the Authority would prevail in a court of law.

Mr. Kratovil feels that it was the MCUA's responsibility to reject that bidder under the circumstances and feels the board had sent a terrible message i awarding the contract.

Chairman Wiley stated that was a mischaracterization and that MCUA had to make a judgment call and that the Commissioners believed it was in the best interests of the ratepayers, especially since NJDCA says did not bar the contractor from bidding on public projects.

There being no further business, Chairman Wiley called for a motion to adjourn. Motion was made by Commissioner Convery at 4:42 p.m., seconded by Commissioner Convery 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 23, 2021 at which I was present.


Judith A. McCabe