

**MINUTES OF REGULAR MEETING
OF THE
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY
JANUARY 4, 2012**

A Regular Meeting of the Cape May County Municipal Utilities Authority was held on Wednesday, January 4, 2012 at 6:30 P.M., at the Authority office in Swainton, N.J. Vice Chairman Pantalone stated proper notice was given under the provisions of the Open Public Meetings Act. The Pledge of Allegiance was recited.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
George W. Betts, Chairman		X
William G. Burns, Jr.	X	
Patricia A. Callinan	X	
William J. McMahon, Jr.	X	
John J. Pantalone	X	
Beatrice Payne		X*
Thomas M. Phelan	X	

*Late arrival

Also present were: Authority Staff, Charles M. Norkis, William W. Cathcart, Thomas J. LaRocco, Robert P. Donato, Theresa A. Gallagher, Ann M. McDevitt, Authority Solicitor, Leonard J. Wood, Esquire; Fred Pracht, of the Avalon Land and Homeowners Association.

MINUTES

Minutes of the December 21, 2011 Regular Meeting were submitted for approval or correction. Mr. Burns offered MOTION TO APPROVE THE DECEMBER 21, 2011 REGULAR MEETING MINUTES AS SUBMITTED, seconded by Mr. McMahon, a Roll Vote followed:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahon	x			
Ms. Payne				x
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, the December 21, 2011 Regular Meeting Minutes were approved as submitted.

**TREASURER'S
REPORT**

Mr. Phelan offered MOTION TO ACCEPT THE NOVEMBER 30, 2011 TREASURER'S REPORT as submitted, seconded by Mr. Burns, a Roll Vote followed:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahon	x			
Ms. Payne				x
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, the November 30, 2011 Treasurer's Report was accepted as submitted, copy annexed hereto and incorporated herein.

**CORRESPONDENCE &
COMMUNICATIONS**

1. Mr. Norkis noted that Chairmen Betts called the Authority's office from Maine yesterday, January 3rd, to wish everyone a Happy New Year and to check on the status of the Authority's operations.

2. Mr. Norkis reviewed the status of proposed New Jersey Assembly Bill Number 3285 with the Authority Members. He noted that this Bill is scheduled for a vote in the Assembly on January 9, 2012. If adopted, this Bill will require that public entities include an Engineer's Estimate in their Bid Specifications for construction projects, and would also make it more difficult for public entities to reject all bids in excess of an Engineer's Estimate. Although the sponsors of this Bill maintain that its adoption will benefit the citizens of New Jersey, the Authority believes that the requirements of this legislation could actually increase the cost of public contracts. In this regard, the Authority's Executive Director sent a letter dated January 3, 2012 opposing the adoption of A-3285 to Assemblyman Wisniewski, the sponsor of the Bill, and to Cape May County's representatives, Senator Jeff Van Drew and Assemblymen Nelson Albano and Matthew Milan.

Note: Ms. Payne arrived during the above-noted discussion (6:35 p.m.).

**UNFINISHED
BUSINESS**

**I. GENERAL COUNTY - WASTEWATER MANAGEMENT AND
SOLID WASTE MANAGEMENT PROGRAMS (COMBINED)**

1. The Authority Members reviewed the Construction Status Report on various CMCMUA construction related activities prepared by the CMCMUA Staff. The following information was discussed in addition to the update provided in the written Status Report:

Landfill Gas to Energy – Mr. LaRocco reported that Contract SLF-EQUIP-26-11 - furnish and deliver the three (3) electrical generators to the Authority's Sanitary Landfill site was awarded to Northeast Energy Systems on December 7, 2011. He

noted that since award, preliminary equipment and building design by the Authority's staff has begun. He further noted that Notice-to-Proceed will be issued once all Contract documents have been executed.

Filling of Sedimentation Basin No. 1 – Mr. LaRocco reported that the Contractor for the Filling of Sedimentation Basin No. 1, Richard E. Pierson Construction Company, has been delivering fill continuously every working day since October 13, 2011. He noted that this project is currently ahead of schedule and approximately 60% complete.

Avalon Boulevard Force Main Replacement – Mr. LaRocco reported that the Contractor for the Avalon Boulevard Force Main Replacement, Sambol Construction Company, has been laying new pipe along the north side of Avalon Boulevard. He further reported that the Contractor has installed approximately 5,000 linear feet of pipe, including the backfilling of the excavated areas, and that approximately 3,400 linear feet of shoulder has received temporary pavement restoration. Mr. LaRocco reported that although minor complications have arisen during the conduct of the work, the Contractor remains optimistic that he will meet the contract completion date for this project. Mr. LaRocco assured the Authority Members that the CMCMUA Staff will work with the Contractor as closely and diligently as needed to ensure the project is completed in a timely matter.

2. It was noted that the New Jersey Local Public Contracts Law authorizes the CMCMUA to purchase any materials, supplies, services or equipment which are included on the list of State Contract Vendors, provided that the items to be purchased have previously been included in the Authority's approved Budgets and the names of potential State Contract Vendors are formally identified on a list by the CMCMUA. Following review of the list of State Contract Vendors anticipated to be utilized by the CMCMUA during 2012, Vice Chairman Pantalone presented RESOLUTION AUTHORIZING PURCHASE OF SUPPLIES, SERVICES, AND EQUIPMENT FROM STATE CONTRACT VENDORS IN EXCESS OF BID THRESHOLD FOR CALENDAR YEAR 2012. Ms. Callinan offered MOTION TO ADOPT THE RESOLUTION AS PRESENTED, seconded by Mr. McMahon, a Roll Vote followed:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahon	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, Resolution No. 1-12 was adopted, copy annexed hereto and incorporated herein.

II. WASTEWATER MANAGEMENT PROGRAM

SLUDGE COMPOSTING FACILITY –

The Authority Members reviewed and discussed the five (5) bids received on December 1, 2011 for the Sludge Composting Facility Pavement and Concrete Restorations (SCF-01-12). During a review of the bids, it was determined by the Authority’s Staff and General Legal Counsel that the apparent low bidder, GWP Enterprises, Inc., submitted a bid in complete accordance with the Bid Specifications and Advertisement. It was the recommendation of the Authority’s Senior Project Engineer and Purchasing Agent, with the concurrence of the Executive Director and General Counsel that a Contract for a total bid price of \$165,155.50 be awarded to GWP Enterprises, Inc., whose bid submission met all requirements of the bid documents for Contract SCF-01-12. It was noted that since GWP Enterprises, Inc. has not done any work to date for the Authority, three (3) references were contacted and it was determined that they have successfully completed several projects of similar size and type in New Jersey. To enable the formal consideration of the above noted recommendation, Vice Chairman Pantalone presented RESOLUTION AWARDED CONTRACT SCF-01-12 SLUDGE COMPOSTING FACILITY PAVEMENT AND CONCRETE RESTORATIONS TO GWP ENTERPRISES, INC. Mr. Burns offered MOTION TO ADOPT THE ABOVE RESOLUTION AS PRESENTED, seconded by Mr. Phelan, a Roll Vote followed:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahan	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, Resolution No. 2-12 was adopted, copy annexed hereto and incorporated herein.

III. SOLID WASTE MANAGEMENT PROGRAM

RECYCLING -

The Authority Members reviewed the Preliminary Regional Recycling Program Progress Report for November 2011, which noted that Cape May County achieved a 34.93% municipal solid waste stream diversion rate and a 35.22% total solid waste stream diversion rate for the months of January through November 2011. It was pointed out that the above-noted recycling rates are preliminary and subject to change, based on the submission of data from independent recycling operations and final State review. It was noted that Cape May County's Recycling Program continues to operate with a net profit of approximately \$1,197,337 through November. It was also noted that the issuance of substantial recycling rebates to Cape May County's communities for 2011 is anticipated.

**PUBLIC
DISCUSSION**

None offered.

**PAYMENT OF
BILLS**

1. On Motion by Mr. Phelan, seconded by Mr. McMahon, a Roll Vote followed on the approval of the Administration Vouchers List dated January 4, 2012:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahon	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, the Administration Vouchers List dated January 4, 2012 was approved, copy annexed hereto and incorporated within.

2. On Motion by Ms. Payne, seconded by Ms. Callinan, a Roll Vote followed on the approval of the Wastewater Operating Funds Vouchers List dated January 4, 2012:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahon	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, the Wastewater Operating Funds Vouchers List dated January 4, 2012 was approved, copy annexed hereto and incorporated within.

3. On Motion by Mr. McMahon, seconded by Mr. Burns, a Roll Vote followed on the approval of the Solid Waste Operations Fund Vouchers List dated January 4, 2012:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahon	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, the Solid Waste Operations Fund Vouchers List dated January 4, 2012 was approved, copy annexed hereto and incorporated within.

4. On Motion by Mr. Phelan, seconded by Ms. Payne, a Roll Vote followed on the approval of the Solid Waste Project Fund Vouchers List dated January 4, 2012:

	<u>Aye</u>	<u>Naye</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Burns	x			
Ms. Callinan	x			
Mr. McMahon	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts				x
Mr. Pantalone	x			

By unanimous Roll Vote, the Solid Waste Project Fund Vouchers List dated January 4, 2012 was approved, copy annexed hereto and incorporated within.

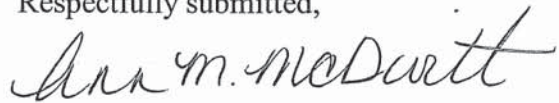
The total of all four (4) approved Vouchers Lists, dated January 4, 2012, was \$1,330,080.81.

NEW BUSINESS None presented.

MISCELLANEOUS None presented.

ADJOURNMENT There being no further business, the Regular Meeting adjourned at 6:55 p.m.

Respectfully submitted,



Ann M. McDevitt
Recording Secretary

1/5/12