

**MINUTES OF REGULAR MEETING  
OF THE  
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY  
OCTOBER 5, 2011**

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A Regular Meeting of the Cape May County Municipal Utilities Authority was held on Wednesday, October 5, 2011 at 6:30 P.M., at the Authority office in Swainton, N.J. Chairman Betts stated proper notice was given under the provisions of the Open Public Meetings Act. The Pledge of Allegiance was recited.

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

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

**MINUTES**

Minutes of the September 21, 2011 Regular Meeting were submitted for approval or correction. Mr. Pantalone offered MOTION TO APPROVE THE SEPTEMBER 21, 2011 REGULAR MEETING MINUTES AS SUBMITTED, 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			
Mr. Pantalone	x			
Ms. Payne			x	
Mr. Phelan	x			
Mr. Betts	x			

By majority Roll Vote, the September 21, 2011 Regular Meeting Minutes were approved as submitted.

**TREASURER'S  
REPORT:**

Mr. Phelan offered MOTION TO ACCEPT THE AUGUST 31, 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			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			

By unanimous Roll Vote, the August 31, 2011 Treasurer's Report was accepted as submitted, copy annexed hereto and incorporated herein.

**CORRESPONDENCE &  
COMMUNICATIONS**

Mr. Norkis reported that the Woodbine Development Center (WDC) has begun accepting gas from the Authority's Sanitary Landfill for the purpose of start up and testing their recently acquired boiler. Since no major problems were experienced, it is expected that regular burning of landfill gas at this facility should commence once the WDC's boilers have been fully tuned and are operating smoothly.

**UNFINISHED  
BUSINESS**

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

The Authority Members reviewed the Construction Status Report on 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 on September 21, 2011, the NJDEP granted approval for the Air Pollution Control Operating Permit for the three (3) proposed electrical generators. He noted that final issuance of the final operating permit is pending USEPA review. The project is scheduled to be complete by December 2012.

Filling of Sedimentation Basin No. 1 – Mr. LaRocco reported that a Pre-Construction Meeting was held on September 20, 2011 for Contract SLF-13-11 - Filling of Sedimentation Basin No. 1. He further reported that Notice-to-Proceed is issued, effective October 11, 2011. He noted that during this past month, the Authority's staff has been constructing a new road to be used by the Contractor and has also been dewatering the basin and removing the sediment that accumulated on the bottom of the basin. This project is scheduled to be completed by June 2012.

Avalon Boulevard Force Main Replacement – Mr. LaRocco reported that a Pre-Construction meeting was held on September 20, 2011 for Contract SM/M-FM-04-11 - Avalon Boulevard Force Main Replacement. He further reported that Notice-to-Proceed was issued, effective September 26, 2011. He noted that a Herpetologist from the Wetlands Institute completed his study on September 15 & 16, 2011 and determined there were no turtles present. He further noted that the Contractor is scheduled to begin during the week beginning on October 10, 2011. The project is anticipated to be complete except for final paving by June 2012.

**II. WASTEWATER MANAGEMENT PROGRAM -  
GENERAL COUNTY -**

Mr. Norkis reported that all of the Authority's Wastewater Treatment Facilities performed well during the July and August of 2011, with the treatment levels achieved for this period substantially exceeding those required by their operating permits. It was noted that total wastewater flows received during the summer of 2011 at the Authority's facilities were 3.3% more than the flow received during the summer of 2010, which has been attributed to 2011 being a wetter summer. With regard to the Capacity Assurance Program established by the NJDEP to assure compliance with wastewater treatment capacity limitations, none of the Authority's wastewater treatment facilities received flows that exceeded 80% of their current permitted capacity and, therefore, no action is needed under the requirements of this program. It was further noted that since all of the Authority's facilities are well below their first phase maximum capacity, there is no need to plan for expansion of these facilities in the near future based on current wastewater flows.

**III. SOLID WASTE MANAGEMENT PROGRAM -  
SANITARY LANDFILL -**

1. To enable the Authority Members to certify their review of the August 18, 2011 Findings of the Local Finance Board related to its refunding of all, or a portion of, the CMCMUA's Solid Waste Revenue Bonds (Junior Lien) and/or Project Notes, Chairman Betts presented RESOLUTION OF THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY CONCERNING REVIEW OF THE FINDINGS OF THE LOCAL FINANCE BOARD MADE AT A MEETING OF SAID BOARD ON AUGUST 18, 2011 IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:5A-7. Mr. Burns 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			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			

By unanimous Roll Vote, Resolution No. 91-11 was adopted, copy annexed hereto and incorporated herein.

2. The Authority Members reviewed and discussed the sole bid received on September 20, 2011 to Furnish and Deliver Replacement Parts for the Authority's C.W. Mill Hogzilla Model HTC-1462L Industrial Tub Grinder (SW-EQUIP-28-11). Following review of the bid received, it was the recommendation of the Authority's Assistant Solid Waste Manager and Purchasing Agent, with the concurrence of the Solid Waste Program Manager and the approval of the Executive Director, that a Contract in the not-to-exceed amount of \$47,500.00 be awarded to C.W. Mill Equipment Company, Inc., whose bid, which included a discount of 5% on all replacement parts, met all of the requirements of the Bid Specifications for Contract SW-EQUIP-28-11. Following further discussion, Chairman Betts presented RESOLUTION AWARDING CONTRACT TO C.W. MILL EQUIPMENT COMPANY, INC. - REPLACEMENT PARTS FOR INDUSTRIAL TUB GRINDER SHREDDER - CONTRACT SW-EQUIP-28-11. Mr. Burns offered MOTION TO ADOPT THE RESOLUTION AS PRESENTED, seconded by Ms. Payne, 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			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			

By unanimous Roll Vote, Resolution No. 92-11 adopted, copy annexed hereto and incorporated herein.

3. Mr. Baron reported that the Authority's Household Hazardous Waste Collection Day held on Saturday, September 10, 2011, at the CCMUA's Sanitary Landfill, was successful, noting that 106 participants delivered more than 6 tons of materials. The bulk of the disposed materials consisted of flammable liquids, oxidizers, acids, bases, cleaners, pesticides and herbicides, and mercury. Mr. Baron noted that an unusual volume of gasoline

was received this year for disposal, presumably due to the fact that many local marinas are no longer accepting gasoline from boat owners when they take their boats out of the water for the winter. Mr. Baron commended the staff members who coordinated the event, enabling it to run very smoothly.

4. Mr. Norkis noted that he and Mr. LaRocco, along with Leonard J. Wood, Esquire, of Wade, Long, Wood & Kennedy, attended a Condemnation Hearing on Thursday, August 18, 2011 regarding the 0.33 acre parcel of land required to implement the expansion of the Authority's Sanitary Landfill. The Condemnation Commissioners confirmed the Authority's appraised property value to be \$2,500.00, which has been compensated to Tuckahoe Sand & Gravel.

#### RECYCLING –

The Authority Members reviewed the Preliminary Regional Recycling Program Progress Report for August 2011, which noted that Cape May County achieved a 34.50% municipal solid waste stream diversion rate and a 30.97% total solid waste stream diversion rate for the first eight (8) months of 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. Mr. Baron reported that the tonnage recycled for the month of August was slightly lower compared to the same period last year. Mr. Baron further reported that the Authority's Recycling Program has achieved a net gain of \$1,008,492 through August of this year compared to a profit of \$364,802 for the same period in 2010. The full net gain at the end of the year will be rebated back to Cape May County's municipalities. He noted that if the value received for the sale of recyclables continues, the Authority may be able to issue recycling rebates to the communities which will be the highest recycling rebate issued in the history of the Authority.

#### PUBLIC DISCUSSION

None offered.

#### PAYMENT OF BILLS

1. On Motion by Mr. Pantalone, seconded by Mr. Burns, a Roll Vote followed on the approval of the Administration Vouchers List dated October 5, 2011:

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

By unanimous Roll Vote, the Administration Vouchers List dated October 5, 2011 was approved, copy annexed hereto and incorporated within.

2. On Motion by Mr. McMahon, seconded by Ms. Callinan, a Roll Vote followed on the approval of the Wastewater Operating Funds Vouchers List dated October 5, 2011:

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

By unanimous Roll Vote, the Wastewater Operating Funds Vouchers List dated October 5, 2011 was approved, copy annexed hereto and incorporated within.

3. On Motion by Ms. Callinan, seconded by Mr. Phelan, a Roll Vote followed on the approval of the Solid Waste Operations Fund Vouchers List dated October 5, 2011:

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

By unanimous Roll Vote, the Solid Waste Operations Fund Vouchers List dated October 5, 2011 was approved, copy annexed hereto and incorporated within.

4. On Motion by Mr. McMahon, seconded by Mr. Burns, a Roll Vote followed on the approval of the Solid Waste Project Fund Vouchers List dated October 5, 2011.

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

By unanimous Roll Vote, the Solid Waste Project Fund Vouchers List dated October 5, 2011 was approved, copy annexed hereto and incorporated within.

The total of all four (4) approved Vouchers Lists, dated October 5, 2011, was \$844,368.90.

NEW BUSINESS

None presented.

MISCELLANEOUS

To enable a discussion to be held with the Authority Members, Staff, and General Counsel regarding Personnel Matters related to the cost of employee benefits, Chairman Betts presented RESOLUTION AUTHORIZING CLOSED WORK SESSION FROM WHICH THE PUBLIC IS EXCLUDED. Mr. Burns offered MOTION TO ADOPT THE 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. McMahon	x			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			

By unanimous Roll Vote, Resolution No. 93-11 adopted, copy annexed hereto and incorporated herein.

RECESS/  
RECONVENE

At 6:55 p.m., the Regular Meeting recessed for the conduct of a Closed Work Session. At 7:25 p.m., the Regular Meeting reconvened to adjourn.

ADJOURNMENT

There being no further business, the Regular Meeting adjourned at 7:25 p.m.

Respectfully submitted,



Ann M. McDevitt  
Recording Secretary