

**MINUTES OF REGULAR MEETING
OF THE
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY
DECEMBER 21, 2011**

A Regular Meeting of the Cape May County Municipal Utilities Authority was held on Wednesday, December 21, 2011 at 1:30 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.

ROLL CALL	<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, Esq.	X	

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

MINUTES Minutes of the December 7, 2011 Regular Meeting were submitted for approval or correction. Mr. Pantalone offered MOTION TO APPROVE THE DECEMBER 7, 2011 REGULAR MEETING MINUTES AS SUBMITTED, seconded by Mr. McMahan, 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 December 7, 2011 Regular Meeting Minutes were approved as submitted.

**TREASURER'S
REPORT**

None submitted.

**CORRESPONDENCE &
COMMUNICATIONS**

None presented.

**UNFINISHED
BUSINESS**

I. WASTEWATER MANAGEMENT PROGRAM -

GENERAL COUNTY -

1. Having received approval from the Department of Community Affairs, regarding the CCMUA's Fiscal Year 2012 Annual Budget for the Wastewater Management Program, Chairman Betts presented ADOPTED BUDGET RESOLUTION – FISCAL YEAR 2012 – AUTHORITY BUDGET (Wastewater Management Program). Mr. McMahon offered MOTION TO ADOPT THE RESOLUTION AS PRESENTED, seconded by Ms. Callinan, 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. 123-11 was adopted, copy annexed hereto and incorporated herein.

2. Mr. Cathcart noted that no further comments were received after the Public Hearing, regarding the proposed Fiscal Year 2012 User Charges for the Authority's Wastewater Management Program. Therefore, it was recommended that final approval of the Wastewater Budget and User Charge System previously proposed and advertised for Fiscal Year 2012 be considered at this time. To enable adoption of the proposed User Charges, Chairman Betts presented RESOLUTION REVISING THE CHARGES AND APPROVING THE SYSTEM OF CHARGES NECESSARY TO PAY THE EXPENSES OF OPERATION OF THE REGIONAL WASTEWATER SYSTEM - EFFECTIVE JANUARY 1, 2012.

Ms. Callinan 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. McMahan	x			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			

By unanimous Roll Vote, Resolution No. 124-11 was adopted, copy annexed hereto and incorporated herein.

II. SOLID WASTE MANAGEMENT PROGRAM -

GENERAL COUNTY -

1. Having received written approval from the Department of Community Affairs of the CMCMUA's Fiscal Year 2012 Annual Budget for the Solid Waste Management Program, Chairman Betts presented ADOPTED BUDGET RESOLUTION – FISCAL YEAR 2012 – AUTHORITY BUDGET (Solid Waste Management Program). Mr. Phelan offered MOTION TO ADOPT THE RESOLUTION AS PRESENTED, seconded by Mr. McMahan, 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 unanimous Roll Vote, Resolution No. 125-11 was adopted, copy annexed hereto and incorporated herein.

2. It was noted that no public comments were received on the CMCMUA's proposed 2012 User Fees, Terms and Conditions for its Solid Waste Management Program. Therefore, the Authority's Staff recommended that the User Fees, Terms and Conditions for use of the CMCMUA's Solid Waste and Recycling Facilities for 2012 be adopted in the same form as previously forwarded to Cape May County's municipalities and solid waste haulers prior to the Public Hearing held on December 7, 2011. To enable consideration of the adoption of the Solid Waste User Fees Document, Chairman Betts presented RESOLUTION APPROVING USER FEES, TERMS AND CONDITIONS FOR USE OF THE CMCMUA

SOLID WASTE AND RECYCLING FACILITIES, EFFECTIVE JANUARY 1, 2012. Mr. McMahon 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. 126-11 was adopted, copy annexed hereto and incorporated herein.

RECYCLING -

1. The Authority Members reviewed and discussed the four (4) Proposals received on November 29, 2011 to provide Chemical Colorants for Landscaping Woodchip Mulches to the Cape May County Municipal Utilities Authority's (CMCMUA) Class B Bulky Waste/Recycling Facility (RFP-25-11). Following review of the Proposals, it was the recommendation of the Authority's Assistant Solid Waste Manager and Purchasing Agent, with the concurrence of the Authority's Solid Waste Program Manager and Executive Director, that the Proposals submitted by: American Colors, Inc., of Sandusky, OH; AmeriMulch Dispersions, LLC. (ChromaScape, Inc.), of Twinsburg, OH; Greenville Colorants, LLC., of Jersey City, NJ; and T.H. Glennon Co., Inc., of Salisbury, MA satisfactorily responded to the Authority's Request for Proposals. Therefore, it was recommended that the above noted four (4) firms be designated as Qualified Vendors to provide Chemical Colorants for Landscaping Woodchip Mulches to the CMCMUA's Class B Bulky Waste/Recycling Facility, on an as-needed basis, during the upcoming year. Following further discussion, Chairman Betts presented RESOLUTION AUTHORIZING THE AUTHORITY'S PURCHASING AGENT TO PROCURE RECYCLING SERVICES FOR CHEMICAL COLORANTS FOR LANDSCAPE WOODCHIP MULCHES FROM QUALIFIED VENDORS (RFP-25-11). Mr. Pantalone offered MOTION TO ADOPT THE RESOLUTION AS PRESENTED, 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, Resolution No. 127-11 was adopted, copy annexed hereto and incorporated herein.

2. The Authority Members reviewed the Preliminary Regional Recycling Program Progress Report for October 2011, which noted that Cape May County achieved a 34.59% municipal solid waste stream diversion rate and a 34.76% total solid waste stream diversion rate for the months of January through October 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 noted that Cape May County's Recycling Program continues to operate with a net profit of approximately \$1,193,021 through October, compared to approximately \$464,918 during the same period in 2010. Mr. Baron also reported that given the above noted profit associated with recyclables received at the Authority's Intermediate Processing Facility, the Authority will be able to issue substantial recycling rebates to Cape May County's communities for 2011.

**PUBLIC
DISCUSSION**

None presented.

**PAYMENT OF
BILLS**

1. On Motion by Mr. Pantalone, seconded by Mr. McMahan, a Roll Vote followed on the approval of the Administration Vouchers List dated December 21, 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 December 21, 2011 was approved, copy annexed hereto and incorporated within.

2. On Motion by Mr. McMahan, seconded by Ms. Payne, a Roll Vote followed on the approval of the Wastewater Operating Funds Vouchers List dated December 21, 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 Wastewater Operating Funds Vouchers List dated December 21, 2011 was approved, copy annexed hereto and incorporated within.

3. On Motion by Ms. Payne, seconded by Mr. McMahon, a Roll Vote followed on the approval of the Solid Waste Operations Fund Vouchers List dated December 21, 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 December 21, 2011 was approved, copy annexed hereto and incorporated within.

4. On Motion by Mr. Burns, seconded by Ms. Payne, a Roll Vote followed on the approval of the Solid Waste Project Fund Vouchers List dated December 21, 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 December 21, 2011 was approved, copy annexed hereto and incorporated within.

The total of all four (4) approved Vouchers Lists, dated December 21, 2011, was \$2,506,595.02.

III. MISCELLANEOUS

1. The Authority Members discussed the existing Interlocal Governmental Shared Services Agreement between the CMCMUA and South Jersey Technology Partnership (SJTP), for technical support services for the Authority's Information Systems, which will expire on December 22, 2011. Following review of the existing Agreement with SJTP, it was determined to be in the best interest of the Authority to renew the Agreement with SJTP for an additional year. SJTP has indicated their willingness to continue to provide Technical Support Services to the CMCMUA during the upcoming year, subject to the same terms and conditions as those contained in the original Agreement authorized under Resolution No. 95-10. To enable continuation of the Agreement for Technical Support Services, Chairman Betts presented RESOLUTION AUTHORIZING CONTINUATION OF AGREEMENT WITH SOUTH JERSEY TECHNOLOGY PARTNERSHIP UNDER CMCMUA RESOLUTION

NO. 95-10. Mr. Phelan offered MOTION TO ADOPT THE RESOLUTION AS PRESENTED, 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, Resolution No. 128-11 was adopted, copy annexed hereto and incorporated herein.

2. The New Jersey Department of the Treasury's Division of Contract Compliance and Equal Employment Opportunity in Public Contracts requires that public agencies such as the CCMUA annually designate a Public Agency Compliance Officer to address State and Federal Equal Employment Opportunity requirements. In this regard, it was the recommendation of the Executive Director that the Authority appoint Theresa A. Gallagher as Public Agency Compliance Officer for 2012. To enable formal consideration of this recommendation, Chairman Betts presented RESOLUTION APPOINTING PUBLIC AGENCY COMPLIANCE OFFICER. Mr. Burns offered MOTION TO ADOPT THE RESOLUTION AS PRESENTED, seconded by Mr. Pantalone, 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. 129-11 was adopted, copy annexed hereto and incorporated herein.

ADJOURNMENT

There being no further business, the Regular Meeting adjourned at 1:50 p.m.

Respectfully submitted,



Ann M. McDevitt
Recording Secretary