

**MINUTES OF REGULAR MEETING
OF THE
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY
FEBRUARY 16, 2011**

A Regular Meeting of the Cape May County Municipal Utilities Authority was held on Wednesday, February 16, 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, Thomas J. LaRocco, Robert P. Donato, Joshua Palombo, Ann M. McDevitt, Theresa A. Gallagher; Authority Solicitor, Howard C. Long, Esquire; Fred Pracht of the Avalon Land and Homeowners Association.

MINUTES Minutes of the February 2, 2011 Regular Meeting were submitted for approval or correction. Mr. Pantalone offered MOTION TO APPROVE THE FEBRUARY 2, 2011 REGULAR MEETING MINUTES 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. McMahan	x			
Ms. Payne	x			
Mr. Phelan			x	
Mr. Betts	x			
Mr. Pantalone	x			

By majority Roll Vote, the February 2, 2011 Regular Meeting Minutes were approved as submitted.

**TREASURER'S
REPORT**

None submitted.

**CORRESPONDENCE &
COMMUNICATIONS**

1. Mr. Norkis noted that the Authority had a loss time frequency of 0.62 per 100 employees during 2010, which is the lowest rate of lost time the Authority has experienced since joining the New Jersey Utility Authority (JUF) 15 years ago, and considerably lower than the national average of 5.5, as reported by the Bureau of Labor Statistics. Mr. Norkis also noted that this significantly lower rate is a direct result of active participation by the employees, the Facility Supervisors, the Program Managers and the Authority's Risk Program Manager, Robert M. Burner. He further noted that Mr. Burner has done an excellent job in preparing and overseeing the Authority's Safety Program.

2. Mr. Norkis reported that a test of the boiler at the Woodbine Development Center (WDC) utilizing landfill gas as a fuel source is planned for today, February 16th. After successful completion of this testing, it is anticipated that the State will commence burning landfill gas as its primary fuel at the WDC in a timely manner.

3. Mr. Norkis reported on the status of the Authority's air permit application for the landfill gas to electrical generation project. He noted that the NJDEP has accepted the Authority's position on the best available technology for controlling emissions from the generators. However, the USEPA may not be in agreement with this position which would require that catalytic converters be installed on the electrical generators. In light of the tremendous costs associated with these devices and the fact that such devices are not a proven technology, the NJDEP will meet with the USEPA on this issue. It was noted that the Authority's electrical generation project will eliminate the need to flare the landfill gas, which practice is considered to have more environmental impact than an electrical generation system.

**UNFINISHED
BUSINESS**

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

1. The Authority Members reviewed the recommendation of the CMCMUA's Chief Engineer and Purchasing Agent regarding the eleven (11) Proposals submitted in response to the CMCMUA's Request for Proposals to provide surveying services for the Cape May County MUA (RFP-01-11). Following review of the Proposals, a Committee consisting of Authority Staff Members has recommended that Contracts be awarded to the following Surveying firms: Gibson Associates, P.A.; Hatch Mott MacDonald; and Van Note-Harvey Associates, P.C. It was noted that, as in previous years, when the need arises for general surveying services, the appropriate firm will be selected by the Authority's Staff based upon the cost proposed for the specific assignment, current availability of the firm to complete the work within the required time frame, and prior experience of the firm with the work involved. In addition, the above-noted Request for Proposals included the option to provide a Lump Sum

Cost Proposal to perform an annual Topographic Survey of the CCMUA's Sanitary Landfill which is required by the NJDEP. Following a review of the Lump Sum Price included in the Proposals received for the topographic survey, the Authority's Staff determined that the Proposal submitted by Hatch Mott MacDonald to perform the topographic survey of the Sanitary Landfill, for a lump-sum figure of \$5,700.00, best meets the needs of the Authority. Following further discussion, Chairman Betts presented the following Resolutions, as a group, for consideration by the Board:

a. RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT (Not-to-Exceed \$40,000) FOR PROFESSIONAL SURVEYING SERVICES WITH GIBSON ASSOCIATES, P.A. (RFP-01-11).

b. RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT (Not-to-Exceed \$45,700) FOR PROFESSIONAL SURVEYING SERVICES WITH HATCH MOTT MACDONALD (RFP-01-11).

c. RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT (Not-to-Exceed \$40,000) FOR PROFESSIONAL SURVEYING SERVICES WITH VAN NOTE-HARVEY ASSOCIATED, P.C. (RFP-01-11).

Mr. Burns offered MOTION TO ADOPT THE ABOVE LISTED RESOLUTIONS 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. 10-11 (Gibson Associates, P.A.), No. 11-11 (Hatch Mott MacDonald) and No. 12-11 (Van Note-Harvey Associates, P.C.) were adopted, copies annexed hereto and incorporated herein.

II. WASTEWATER MANAGEMENT PROGRAM

GENERAL COUNTY

1. Mr. Palombo gave a report on the Wastewater Program's various projects being performed by in-house labor, specifically:

Ocean City RBR Cover Fabrications – Mr. Palombo noted that the Authority's staff is continuing the fabrication process of the new covers for the Rotating Biological

Reactors (RBR) at the Ocean City Wastewater Plant. He noted that, since the process began there have not been any significant problems to delay the progress of the project.

Major Overhaul of Seven Mile/Middle Sludge Thickener – Mr. Palombo reported that the Authority's Project Crew continues to work on the fabrication and construction of the rake mechanism and the gearboxes of the sludge thickener at the Seven Mile Beach/Middle Plant. When refurbishment is complete, it is expected that the thickener should remain operational for many more years.

2. The Authority Members reviewed and discussed a recommended Change Order to Contract WW-22-10, for the Various Ocean Outfall Locations Repairs, with Commercial Diving Service. It was noted that this Change Order No. 1 authorizes a non-compensable time extension of twelve (12) days associated with adverse weather which created marine conditions which were unsafe to perform ocean outfall repairs. Following further discussion, Chairman Betts presented RESOLUTION AUTHORIZING CONTRACT CHANGE ORDER - CONTRACT WW-22-10 - COMMERCIAL DIVING SERVICE. Mr. Phelan offered MOTION TO ADOPT 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			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			
Mr. Pantalone	x			

By unanimous Roll Vote, Resolution No. 13-11 was adopted, copy annexed hereto and incorporated herein.

WILDWOOD/LOWER REGION -

The Authority Members reviewed and discussed the twelve (12) bids received on February 2, 2011 to furnish and install a 2-ton rooftop HVAC unit at the Wildwood/Lower Wastewater Treatment Facility Administrative Building (WW/L-09-11). Following a review of the bids received, it was the recommendation of the Authority's Project Engineer and Purchasing Agent, with the concurrence of the Chief Engineer and Executive Director, that a Contract for a total bid amount of \$47,050.00 be awarded to Multi-Temp Mechanical, Inc., whose low bid meet all requirements of Contract WW/L-09-11. Mr. LaRocco noted that Multi-Temp Mechanical, Inc. has provided satisfactory HVAC services to the Authority under the current 2011 Miscellaneous Services – HVAC Work Contract. To enable formal consideration of the above-noted recommendation, Chairman Betts presented RESOLUTION AWARDING CONTRACT WW/L-09-11 – FURNISH & INSTALL 2-TON ROOFTOP HVAC UNIT – WILDWOOD/LOWER WASTEWATER TREATMENT FACILITY –

MULTI-TEMP MECHANICAL, INC. Mr. Callinan 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. McMahan	x			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			

By unanimous Roll Vote, Resolution No. 14-11 was adopted, copy annexed hereto and incorporated herein.

III. SOLID WASTE MANAGEMENT PROGRAM -

RECYCLING -

Mr. Norkis reported that in January 2010 the Authority entered a Shared Services Agreement with the Cumberland County Improvement Authority (CCIA) for a term of five (5) years regarding the acceptance of commingled containers at the CMCIPF. Pursuant to Section 4(C) of that Agreement, either party may terminate without cause upon ninety (90) days written notice to the other party. He further reported that the Authority has received written correspondence from the Attorney for the CCIA, dated February 3, 2011, notifying the Authority that they intend to terminate said Agreement, effective May 5, 2011. Mr. Norkis noted that he believes that the CCIA is taking this step in an attempt to increase recycling revenues in order to offset a recent loss in solid waste tonnages at their landfill as a result of Atlantic County's recently implanted solid waste flow control provision.

PUBLIC DISCUSSION

None offered.

PAYMENT OF BILLS

1. On Motion by Mr. Pantalone, seconded by Ms. Callinan, a Roll Vote followed on the approval of the Administration Vouchers List dated February 16, 2011:

	<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, the Administration Vouchers List dated February 16, 2011 was approved, copy annexed hereto and incorporated within.

2. On Motion by Mr. McMahon, seconded by Ms. Payne, a Roll Vote followed on the approval of the Wastewater Operating Funds Vouchers List dated February 16, 2011:

	<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 February 16, 2011 was approved, copy annexed hereto and incorporated within.

3. On Motion by Mr. Phelan, seconded by Mr. Burns, a Roll Vote followed on the approval of the Solid Waste Operations Fund Vouchers List dated February 16 2011:

	<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 February 16 2011 was approved, copy annexed hereto and incorporated within.

4. On Motion by Mr. Phelan, seconded by Mr. McMahon, a Roll Vote followed on the approval of the Solid Waste Project Fund Vouchers List dated February 16 2011:

	<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 February 16 2011 was approved, copy annexed hereto and incorporated within.

The total of all four (4) approved Vouchers Lists, dated February 16, 2011, was \$1,063,000.44.

ADJOURNMENT

There being no further business, the Regular Meeting adjourned at 2:00 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ann M. McDevitt". The signature is fluid and cursive, with a large initial "A" and "M".

Ann M. McDevitt
Recording Secretary

02/17/11