

**MINUTES OF REGULAR MEETING  
OF THE  
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY  
FEBRUARY 2, 2011**

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A Regular Meeting of the Cape May County Municipal Utilities Authority was held on Wednesday, February 2, 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	
William G. Burns, Jr.	X	
Patricia A. Callinan		X
William J. McMahon, Jr.	X	
John J. Pantalone	X	
Beatrice Payne		X*
Thomas M. Phelan, Esq.		X

\* Late Arrival

Also present were: Authority Staff, Charles M. Norkis, John R. Baron, Thomas J. LaRocco, William W. Cathcart, Theresa A. Gallagher, Annie McDevitt; Authority Solicitor, Howard C. Long, Esquire.

**MINUTES**

Minutes of the January 19, 2011 Regular Meeting were submitted for approval or correction. Mr. Pantalone offered MOTION TO APPROVE THE JANUARY 19, 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			
Mr. Pantalone	x			
Ms. Payne				x
Mr. Phelan				x
Mr. Betts			x	

By majority Roll Vote, the January 19, 2011 Regular Meeting Minutes were approved as submitted.

**TREASURER'S  
REPORT**

Mr. McMahon offered MOTION TO ACCEPT THE DECEMBER 31, 2010 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 December 31, 2010 Treasurer's Report was accepted as submitted, copy annexed hereto and incorporated herein.

**CORRESPONDENCE &  
COMMUNICATIONS**

1. Mr. Norkis noted that in past years the Authority has applied for, and received, low interest financing for various wastewater and solid waste projects through the New Jersey Environmental Infrastructure Trust Fund (NJEIT). He further noted that the State has indicated that sufficient funding is available for Fiscal Year 2011 to fund all projects on their priority list that meet the application requirements. In light of the available funding, the Authority is proposing to submit a final application to receive NJEIT financing for its project to fill in the sedimentation basin at the Sanitary Landfill, which is necessary for the future expansion of this facility. To meet the requirements of the NJEIT Program, Bid Specifications for this project must be submitted to the State for approval by March 7<sup>th</sup> of this year. Since the financing offered by the NJEIT funds 75% of the project cost at 0% interest, with the remaining 25% offered at current rates, the Authority Members were in agreement that the Staff should prepare the necessary documents to enable funding of the sedimentation basis project through this program.

2. Commissioner Burns inquired about the status of the recommencement of burning landfill gas at the Woodbine Developmental Center (WDC). Mr. Norkis advised him that he spoke with the boiler manufacturer directly to clarify any misunderstandings in reference to the testing of the new WDC boiler. Mr. Norkis added that we are now awaiting for a technician to be scheduled to come and test the boiler on landfill gas, after which, hopefully, burning of landfill gas at the WDC can commence.

3. Commissioner Burns also inquired on the status of the permit for the electrical generation project. Mr. Norkis advised that a meeting of NJDEP staff members reviewing the Authority's proposed air permit for the generators is scheduled for this Friday, February 4<sup>th</sup>. If agreement can be reached at the NJDEP accepting the Authority's position on the latest technology available for controlling emissions from the generators, then it is expected that a

permit would be issued soon. However, the USEPA would have 45 days to review and comment on this permit after it published before it would go into effect.

Note: Ms. Payne arrived at the Regular Meeting during the above-noted discussion.

## REORGANIZATION

Mr. Betts, Chairman, noted that the next order of business was "Reorganization" in accordance with the Authority's By-Laws:

### A. ELECTION OF OFFICERS

Mr. Betts opened nominations for the office of Chairman. Mr. Pantalone offered MOTION TO ELECT GEORGE W. BETTS AS CHAIRMAN, seconded by Mr. Burns. There being no further nominations for the office of Chairman, a Roll Vote followed on the Motion to elect George W. Betts as Chairman:

	<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 majority Roll Vote, George W. Betts was elected Chairman.

Mr. Betts opened nominations for the office of Vice Chairman. Mr. Burns offered MOTION TO ELECT JOHN J. PANTALONE AS VICE CHAIRMAN, seconded by Mr. McMahon. There being no further nominations for the office of Vice Chairman, a Roll Vote followed on the Motion to elect John J. Pantalone as Vice Chairman:

	<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 majority Roll Vote, John J. Pantalone was elected Vice Chairman.

Mr. Betts opened nominations for the office of Treasurer. Mr. McMahon offered MOTION TO ELECT WILLIAM G. BURNS, JR. AS TREASURER, seconded by Ms. Payne. There being no further nominations for the office of Treasurer, a Roll Vote followed on the Motion to elect William G. Burns, Jr. as Treasurer:

	<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 majority Roll Vote, William G. Burns, Jr. was elected Treasurer.

Mr. Betts opened nominations for the office of Corporate Secretary. Mr. Burns offered MOTION TO ELECT PATRICIA A. CALLINAN AS CORPORATE SECRETARY, seconded by Mr. McMahon. There being no further nominations for the office of Corporate Secretary, a Roll Vote followed on the Motion to elect Patricia A. Callinan as Corporate Secretary:

	<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 majority Roll Vote, Patricia A. Callinan was elected Corporate Secretary.

Mr. Betts opened nominations for the office of Assistant Treasurer. Mr. Burns offered MOTION TO ELECT CHARLES M. NORKIS AS ASSISTANT TREASURER, seconded by Mr. McMahon. There being no further nominations for the office of Assistant Treasurer, a Roll Vote followed on the Motion to elect Charles M. Norkis as Assistant Treasurer:

	<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, Charles M. Norkis was elected to the office of Assistant Treasurer.

Mr. Betts opened nominations for the office of Assistant Secretary. Mr. Burns offered MOTION TO ELECT VINCENETTE DICICCO, THERESA A. GALLAGHER, DIANE M. LEONIK AND ANN M. MCDEVITT AS ASSISTANT SECRETARIES, seconded by Mr. McMahan. There being no further nominations for the office of Assistant Secretary, a Roll Vote followed on the Motion to elect Vincenette DiCicco, Theresa A. Gallagher, Diane M. Leonik and Ann McDevitt as Assistant Secretaries:

	<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, Vincenette DiCicco, Theresa A. Gallagher, Diane M. Leonik and Ann M. McDevitt were elected to the office of Assistant Secretary.

B. MEETING SCHEDULE

After review of the proposed Meeting Schedule for Regular Meetings of the Cape May County Municipal Utilities Authority for 2011-2012, the Authority Members were in agreement with the proposed schedule, as submitted. To enable formal adoption of the proposed schedule, Mr. Pantalone offered MOTION TO ADOPT CMCMUA MEETING DATES (TERM 2011 - 2012), 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			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan				x
Mr. Betts	x			

By unanimous Roll Vote, the Authority's 2011 - 2012 Meeting Schedule was approved.

C. ANNUAL APPOINTMENTS

1. Mr. Burns offered MOTION TO APPOINT ANN M. MCDEVITT AS RECORDING SECRETARY AND THERESA GALLAGHER AS ALTERNATE RECORDING SECRETARY, 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, Ann M. McDevitt was appointed Recording Secretary and Theresa Gallagher was appointed Alternate Recording Secretary.

2. To enable the CMCMUA to designate "The Press of Atlantic City", "The Ocean City Sentinel" and "The Herald Newspapers" as official legal newspapers for the publication of legal notices related to various Authority activities, Chairman Betts presented RESOLUTION DESIGNATING OFFICIAL LEGAL NEWSPAPERS. 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 majority Roll Vote, Resolution No. 4-11 was adopted, copy annexed hereto and incorporated herein.

3. To enable the designation of the CMCMUA's official Internet Website, for the publication of fair and open contract advertisements, as permitted by the Local Unit Pay-to-Play Law, Chairman Betts presented RESOLUTION DESIGNATING INTERNET WEBSITE FOR OFFICIAL NOTIFICATION PURSUANT TO NEW JERSEY LOCAL UNIT PAY-TO-PLAY LAW. 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. 5-11 was adopted, copy annexed hereto and incorporated herein.

**UNFINISHED  
BUSINESS**

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

1. The Authority Members reviewed the proposed CMCMUA's Cash Management Plan which, by law, must be adopted annually and which is only slightly changed from 2010, to include the Beneficial Bank, which was originally added to the Authority's Authorized Depositories by Resolution on August 4, 2010. At this time, Commissioner Burns, disclosed his friendship and a business relationship with a Vice President of Parke Bank, which is included in the proposed Cash Management Plan as an authorized depository. Howard Long, Esquire, the Authority's General Counsel, in recognition of the business relationship between Commissioner Burns and Parke Bank, advised him to abstain from voting on adoption of the CMCMUA's Cash Management Plan for 2011. Mr. Burns noted that he was in agreement with the approval of the Cash Management Plan, and that to avoid even a potential conflict of interest, he would be abstaining from the Roll Vote on its approval. To enable the approval of the CMCMUA's Cash Management Plan for 2011, Chairman Betts presented RESOLUTION UPDATING THE CASH MANAGEMENT PLAN FOR THE CAPE MAY COUNTY

MUNICIPAL UTILITIES AUTHORITY. 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. 6-11 was adopted, copy annexed hereto and incorporated herein.

2. 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:

Various Ocean Outfall Repairs - Mr. LaRocco reported that the contractor for this project, Commercial Diving, completed all physical work associated with the project on January 5, 2011 and is expected to submit their report and video in a timely matter. Mr. LaRocco also reported that the contractor has done a great job with the various outfall inspections and repairs considering the adverse weather conditions and noted that he worked long hours and Saturdays to complete this project.

Landfill Gas to Energy - Mr. LaRocco reported that the Authority's field staff has continued the process of installing 3" diameter HDPE piping lines for the Landfill Gas Project throughout the past month. These HDPE piping lines are intended to return condensate back to the landfill gas recovery area at the flare. Mr. LaRocco noted that the condensate lines run to knock-out chambers which serve as collections stations for liquid condensate that will develop along the main gas pipe line. Mr. LaRocco further noted that the staff has been continuously working during all types of inclement weather and have managed to complete the necessary tasks.

## II. SOLID WASTE MANAGEMENT PROGRAM

### SANITARY LANDFILL -

The Authority Members reviewed and discussed the sole Bid received on January 20, 2011 to provide Laboratory Services for Landfill Gas Sampling and Analysis (SLF-10-11). Following review of the Bid it was the recommendation of the Authority's Project Engineer and Purchasing Agent, with the concurrence of the Chief Engineer and Executive Director that the Bid submitted by Intex Environmental Group, Inc. satisfactorily responded to the Authority's Bid Specification. Therefore, it was recommended that a contract to provide Laboratory Services for Landfill Gas Sampling and Analysis (SLF-10-11), in the amount of \$46,752.00, be awarded to Intex Environmental Group, Inc. To enable formal consideration of

this recommendation, Chairman Betts presented RESOLUTION AUTHORIZING THE PROCUREMENT OF LABORATORY SERVICES FOR ANALYSIS OF LANDFILL GAS TO INTEX ENVIRONMENTAL GROUP, INC. (CONTRACT SLF-10-11). 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			
Ms. Payne	x			
Mr. Phelan				x
Mr. Betts	x			
Mr. Pantalone	x			

By unanimous Roll Vote, Resolution No. 7-11 was adopted, copy annexed hereto and incorporated herein.

#### RECYCLING

The Authority Members reviewed and discussed the four (4) Proposals received on January 11, 2011 to provide Recycling Services for Used Tires (RFP-03-11). Following review of the Proposals received, it was the determination of the Authority's Solid Waste and Recycling Staffs and Purchasing Agent, with the concurrence of the Authority's Solid Waste Program Manager and Executive Director, that all four Proposals satisfactorily responded to the Authority's Request for Proposals. Therefore, it was recommended that: Absolute Auto Salvage of Middlesex, NJ; Carbon Services Corp. of Leighton, PA; Ocean County Recycling Center of Toms River, NJ; and Rubbercycle of Lakewood, NJ be designated as Qualified Vendors to provide Tire Recycling Services to the CMCMUA during 2011. Following further discussion, Chairman Betts presented RESOLUTION AUTHORIZING THE AUTHORITY'S PURCHASING AGENT TO PROCURE RECYCLING SERVICES FOR USED TIRES FROM QUALIFIED VENDORS (RFP-03-11). 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. 8-11 was adopted, copy annexed hereto and incorporated herein.

**PUBLIC  
DISCUSSION**

None offered.

**PAYMENT OF  
BILLS**

1. On Motion by Mr. Pantalone, seconded by Mr. McMahon, a Roll Vote followed on the approval of the Administration Vouchers List dated February 2, 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 Administration Vouchers List dated February 2, 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 2, 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 February 2, 2011 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 February 2, 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 February 2, 2011 was approved, copy annexed hereto and incorporated within.

4. On Motion by Mr. McMahon, seconded by Ms. Payne, a Roll Vote followed on the approval of the Solid Waste Project Fund Vouchers List dated February 2, 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 February 2, 2011 was approved, copy annexed hereto and incorporated within.

The total of all four (4) approved Vouchers Lists, dated February 2, 2011, was \$1,174,381,08.

**NEW  
BUSINESS**

To enable a discussion to be held with the Authority Members, Staff and General Counsel regarding Personnel Matters - Pending Litigation, Chairman Betts presented RESOLUTION AUTHORIZING CLOSED WORK SESSION FROM WHICH THE PUBLIC IS EXCLUDED. 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. 9-11 was adopted, copy annexed hereto and incorporated herein.

**RECESS/  
RECONVENE**

At 7:08 p.m., the Regular Meeting recessed for the conduct of a Closed Work Session. At 7:33 p.m., the Regular Meeting reconvened to adjourn.

**ADJOURNMENT** There being no further business, by unanimous Voice Vote, the Regular Meeting adjourned at 7:34 p.m.

Respectfully submitted,



Ann M. McDevitt  
Recording Secretary

02/3/11