

**MINUTES OF REGULAR MEETING  
OF THE  
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY  
MAY 4, 2011**

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A Regular Meeting of the Cape May County Municipal Utilities Authority was held on Wednesday, May 4, 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; CMCMUA Auditor, Stephen Kosloski and Glen Ortman of Ford, Scott & Associates, LLC (partial); Fred Pracht, of the Avalon Land and Homeowners Association.

**MINUTES** Minutes of the April 20, 2011 Regular Meeting were submitted for approval or correction. Mr. Pantalone offered MOTION TO APPROVE THE APRIL 20, 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			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Pantalone	x			
Mr. Betts	x			

By unanimous Roll Vote, the April 20, 2011 Regular Meeting Minutes were approved as submitted.

**TREASURER'S  
REPORT**

Mr. McMahon offered MOTION TO ACCEPT THE MARCH 31, 2011 TREASURER'S REPORT as submitted, 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			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Pantalone	x			
Mr. Betts	x			

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

**CORRESPONDENCE &  
COMMUNICATIONS**

None offered.

**UNFINISHED  
BUSINESS**

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

1. The Authority Members reviewed the CMCMUA 2010 Financial Audit prepared by the Authority's Auditor, Ford, Scott & Associates, LLC. Mr. Glen Ortman, representing the CMCMUA's Auditors, clarified certain aspects of the Audit Report and responded to questions raised by the Authority Members. It was noted that the Audit Report did not include any Recommendations and/or Findings which would have indicated a potential deficiency in the Authority's accounting or internal control practices. Mr. Ortman pointed out a new auditing standard which requires formal communication to those in governance regarding matters related to the financial statement audit that are significant and relevant to those charged with overseeing the financial reporting process. Mr. Ortman pointed out that new accounting standards require that the Authority's funds had to be restated regarding their status as restricted and unreserved assets. Mr. Ortman noted that due to the Authority receiving more than \$500,000 in state financial assistance related to the New Jersey Environmental Infrastructure Trust Fund and the Reclaimed Water for Beneficial Reuse Grant, the expenditures associated with the use of these funds were specifically tested to ensure compliance with the provisions of the programs administering these funds. Following further discussion and review of the Authority's 2010 Financial Audit, Chairman Betts presented RESOLUTION CERTIFYING

PERSONAL REVIEW OF ANNUAL AUDIT REPORT. 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. McMahan	x			
Mr. Pantalone	x			
Ms. Payne	x			
Mr. Phelan	x			
Mr. Betts	x			

By unanimous Roll Vote, Resolution No. 43-11 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:

Landfill Gas to Energy – Mr. LaRocco reported that the Authority’s operations staff has been dedicated to other tasks so no significant physical work has been accomplished on the Landfill Gas to Energy Project. He further noted that the Air Permit has not yet been received from the State of New Jersey. The project is estimated to be completed July 2012.

Two-Ton Rooftop HVAC Unit – Mr. LaRocco reported that the Contractor for this project, Multi-Temp Mechanical, Inc., was issued the notice-to-proceed on March 7, 2011 for the HVAC improvements to the Wildwood/Lower WTF Administration Building. Mr. LaRocco noted that the Contractor has prepared the material submittals which are currently under review by the Authority's staff. This project is scheduled to be complete by June 15, 2011.

Roof Replacements - Cape May Region – Mr. LaRocco reported that the Contractor, Tortorice Contractors, was awarded the Contract for the Cape May Region WTF Roof Replacements on April 6, 2011, and was issued the notice-to-proceed on April 25, 2011. Mr. LaRocco further reported that work on this project is expected to begin the week of May 9<sup>th</sup>.

Ocean Outfall Inspections – Mr. LaRocco reported that Commercial Diving Service was awarded the Contract for the annual inspections of the diffusers at the Authority’s three (3) ocean outfall locations. Mr. LaRocco noted that notice-to-proceed is pending the execution of all Contract documents.

3. The Authority Members reviewed and discussed the two (2) Proposals received on April 19, 2011 to procure Miscellaneous Machine Shop/Fabrication Work for its various CMCMUA Facilities (RFP-10-11). Following review of the Proposals, it was the recommendation of the CMCMUA's Assistant Solid Waste Manager, Wastewater Program

Manager and Purchasing Agent, with the concurrence of the Authority's Deputy Director, that the Proposals submitted by: Mark I Industries, of Cape May, NJ; and N & M General Machine Co., Inc., of Wildwood, NJ both satisfactorily responded to the Authority's Request for Proposals. Therefore, it was recommended that the above noted two (2) firms be designated as Qualified Vendors to procure Miscellaneous Machine Shop/Fabrication Work for its Wastewater and Solid Waste Facilities, on an as-needed basis, during the upcoming year. Following further discussion, Chairman Betts presented RESOLUTION AUTHORIZING THE AUTHORITY'S PURCHASING AGENT TO PROCURE MISCELLANEOUS MACHINE SHOP/FABRICATION WORK FOR VARIOUS CMCMUA FACILITIES FROM QUALIFIED VENDORS (RFP-10-11). Mr. McMahon 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. 44-11 was adopted, copy annexed hereto and incorporated herein.

## II. WASTEWATER MANAGEMENT PROGRAM -

### GENERAL COUNTY -

The Authority Members reviewed and discussed the two (2) bids received on April 26, 2011 to furnish and deliver various synthetic polymer compounds used for sludge dewatering at the CMCMUA Wastewater Treatment Facilities (CHEM-19-11). Following review of the bids submitted, it was the recommendation of the Authority's Wastewater Program Manager, Operations Coordinator and Purchasing Agent, with the concurrence of the Executive Director, that a Contract be awarded to Polydyne, Inc. in the total not-to-exceed amount of \$94,606.20. It was noted that the term of Contract CHEM-19-11 is for one (1) year, with an option to renew for an additional one (1) year period, to be authorized by mutual agreement of both parties. To enable formal consideration of the above-noted recommendation, Chairman Betts presented RESOLUTION AWARDED CONTRACT CHEM-19-11 TO POLYDYNE, INC. - SYNTHETIC POLYMER FOR REGIONAL WASTEWATER TREATMENT FACILITIES. Ms. 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. 45-11 was adopted, copy annexed hereto and incorporated herein.

**SEVEN MILE BEACH/MIDDLE REGION –**

The Authority Members reviewed and discussed the two (2) bids received on January 25, 2011 to furnish and deliver six (6) new replacement RBC Gear Boxes (SM-07-11). During a review of the bids, it was determined by the Authority’s General Legal Counsel that the apparent low bidder, Brown Transmission & Bearing Corporation, submitted a bid in complete accordance with the Bid Specifications and Advertisement. It was the recommendation of the Authority’s Wastewater Engineer and Purchasing Agent, with the concurrence of the Authority’s Wastewater Program Manager, Executive Director and General Counsel that a Contract for a total bid price of \$95,568.00 be awarded to Brown Transmission & Bearing Corporation., whose bid met all requirements of the bid documents for Contract SM-07-11. To enable the formal consideration of the above noted recommendation, Chairman Betts presented RESOLUTION AWARDDING CONTRACT SM-07-11 FURNISH AND DELIVER SIX (6) NEW REPLACEMENT RBC GEAR BOXES TO BROWN TRANSMISSION & BEARING CORPORATION. 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. 46-11 was adopted, copy annexed hereto and incorporated herein.

**SLUDGE COMPOSTING FACILITY –**

1. The Authority Members reviewed and discussed the one (1) bid received on April 26, 2011 to furnish and deliver sulfuric acid to the CCMUA Sludge Composting Facility (CHEM-20-11). Following review of the sole bid submitted, it was the recommendation of the Authority's Wastewater Program Manager, Operations Coordinator and Purchasing Agent, with the concurrence of the Executive Director, that a Contract to supply sulfuric acid to the Authority's Wastewater Management Program be awarded to Basic Chemical Solutions, LLC., in the total not-to-exceed amount of \$83,200.00. It was noted that the term of Contract CHEM-20-11 is for one (1) year, with an option to renew for an additional one (1) year period, to be authorized by mutual agreement of both parties. To enable formal consideration of the above-noted recommendation, Chairman Betts presented RESOLUTION AWARDING CONTRACT TO BASIC CHEMICAL SOLUTIONS, LLC. – FURNISH AND DELIVER BULK SULFURIC ACID CONTRACT CHEM-20-11. Mr. Phelan 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. 47-11 was adopted, copy annexed hereto and incorporated herein.

2. The Authority Members reviewed and discussed the four (4) bids received on February 15, 2011 to furnish and deliver two (2) new sludge roll-off trucks for sludge hauling (Contract SC-06-11). During a review of the bids, it was determined by the Authority's Staff that the Bid Specifications for Contract SC-06-11 contained specific deficiencies which made it impossible for bidders to meet the technical requirements of the Specifications. It was, therefore, the recommendation of the Authority's Operation Coordinator and Wastewater Program Manager, with the concurrence of the Authority's Purchasing Agent, Deputy Director and General Counsel that the all bids submitted for Contract SC-06-11 be rejected and the contract be re-bid as soon as practical. It was further noted that since this equipment is to be financed through the NJEIT, permission to reject all bids was sought from the NJDEP which permission was received by letter dated April 15, 2011. To enable the formal consideration of the above noted recommendation, Chairman Betts presented RESOLUTION REJECTING ALL BIDS UNDER CONTRACT SC-06-11 – FURNISH AND DELIVER TWO (2) NEW

SLUDGE ROLL-OFF TRUCKS FOR SLUDGE HAULING. Mr. McMahon 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. 48-11 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 February 2011, which noted that Cape May County achieved a 28.96% municipal solid waste stream diversion rate and a 22.48% total solid waste stream diversion rate from January through February of 2011. The Progress Report also 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 although February has historically been a low revenue month for the Authority's Recycling Program, positive revenue in the amount of \$33,851.30 was realized during February 2011.

**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 May 4, 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. Pantalone	x			
Mr. Betts	x			

By unanimous Roll Vote, the Administration Vouchers List dated May 4, 2011 was approved, copy annexed hereto and incorporated within.

2. On Motion by Ms. Payne, seconded by Mr. McMahon, a Roll Vote followed on the approval of the Wastewater Operating Funds Vouchers List dated May 4, 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. Pantalone	x			
Mr. Betts	x			

By unanimous Roll Vote, the Wastewater Operating Funds Vouchers List dated May 4, 2011 was approved, copy annexed hereto and incorporated within.

3. On Motion by Mr. Burns, seconded by Ms. Payne, a Roll Vote followed on the approval of the Solid Waste Operations Fund Vouchers List dated May 4, 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. Pantalone	x			
Mr. Betts	x			

By unanimous Roll Vote, the Solid Waste Operations Fund Vouchers List dated May 4, 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 May 4, 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. Pantalone	x			
Mr. Betts	x			

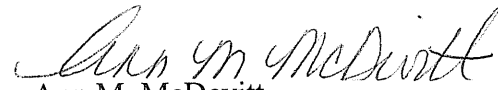
By unanimous Roll Vote, the Solid Waste Project Fund Vouchers List dated May 4, 2011 was approved, copy annexed hereto and incorporated within.

The total of all four (4) approved Vouchers Lists, dated May 4, 2011, was \$742,068.88.

ADJOURNMENT

There being no further business, the Regular Meeting adjourned at 7:15 p.m.

Respectfully submitted,



Ann M. McDevitt

Recording Secretary

5/5/11