

MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AGENDA

Wednesday, May 11, 2022 6:00 PM

(Held via Zoom)

+1 929 436 2866 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799
+1 669 900 6833
+1 253 215 8782
+1 346 248 7799
833 548 0276 US Toll-free
833 548 0282 US Toll-free
877 853 5247 US Toll-free
888 788 0099 US Toll-free
Meeting ID: 845 9354 9617
Passcode: 7655225678

Middlesex County Improvement Authority Office

101 Interchange Plaza, Second Floor, Cranbury (South Brunswick), New Jersey

1. **SALUTE TO FLAG/CALL TO ORDER:** Meeting was called to order by Chairman Nolan at 6:00 p.m.

2. **ROLL CALL OF OFFICERS**
James P. Nolan Present
Anthony Raczynski Present
Paul Abbey Present
Christine D'Agostino Present
Others Present: Executive Director H. James Polos, General Counsel Carol Berlen, Esq., Chief Financial Officer William Brennan, Bond Counsel Jason Capizzi, Esq.

3. **SUNSHINE LAW STATEMENT:** Carol Berlen, Esq. stated the following statement into the record: "This meeting today conforms with Chapter 231, P.L. 1975 called the 'Open Public Meeting Act' and as per the requirements of the statute, notification of the meeting was published in the Star Ledger and Home News Tribune and filed with the Clerk of Middlesex County."

4. **COMMITTEE REPORTS**
a) Recycling: Executive Director James Polos thanks the vendors and team for doing a wonderful job keeping up with the recycling program.

5. **CORRESPONDENCE**
No correspondence.

6. **OLD BUSINESS**

No old business.

7. **NEW BUSINESS**

No new business.

8. **DISCUSSION OF RESOLUTIONS**

8(a) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY APROVING AMENDMENT TO THE 2022 OPERATING BUDGET TO REFLECT REVENUE AND EXPENSES SUBJECT TO THE AUTHORITY ACQUIRING CARTERET PARKING GARAGE FACILITY LOCATED IN CARTERET, NEW JERSEY

8(b) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY CONCERNING REVIEW OF THE LOCAL FINANCE BOARD MADE AT A MEETING OF SAID BOARD ON FEBRUARY 9, 2022 IN ACCORDANCE WITH N.J.S.A. 40A:5A-7

8(c) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING PROCUREMENT OF INSURANCE COVERAGE FOR ROOSEVELT CARE CENTER FACILITIES

8(d) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY APPROVING PURCHASE OF ONE VEHICLE UNDER CAPITAL EQUIPMENT IMPROVEMENT PROGRAM TO BE USED IN ROUTINE OPERATIONS

8(e) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY PAYMENT OF EXPENSES

9. **APPROVAL OF MINUTES**

a) Motion for approval of the Minutes of the Agenda Session and Regular Meeting of April 13, 2022 made by Commissioner D'Agostino, seconded by Commissioner Abbey. Approved by unanimous vote.

10. **PUBLIC COMMENTS ON RESOLUTIONS**

Charlie Kratovil from New Brunswick inquires with reference to 8(a) whether the parking facility is turning a profit or losing money. Executive Director Polos answers (after resolving some technical microphone issues) that the MCIA anticipates a revenue of \$427,000 and expenses of \$313,000 for the parking deck and that a Resolution was submitted to the state for budget purposes.

Charlie Kratovil acknowledges he does not have any more comments on resolutions but does ask about the virtual nature of the meeting. He states he cannot get in the meeting

using Zoom, that he gets rejected when he tries. He asks whether the Board members are on Zoom and whether they can see each other. Chairman Nolan informs Mr. Kratovil that no members are on video, they are just on audio. Mr. Kratovil further comments that he believes if the MCIA members are able to get on Zoom, the public should be able to as well. Chairman Nolan advises he will look into the technical aspect of this issue.

11. **APPROVAL OF RESOLUTIONS**

Motion to approve resolutions made by Commissioner D'Agostino, seconded by Commissioner Abbey. Approved by unanimous vote.

12. **PAYMENT OF VOUCHERS**

Motion to approve payment of expenses made by Commissioner D'Agostino, seconded by Commissioner Abbey. Approved by unanimous vote.

13. **PUBLIC SESSION**

Charlie Kratovil inquires as to the any updates on the school construction in New Brunswick. Mr. Kratovil states he spoke with the BOE and was told they were supposed to get the structural steel in April but he did not see any when he drove by the site yesterday. He then asks whether there is an update on the timeline of the new school. Chairman Nolan advises that General Counsel has changed and needs time to get up to speed on the current status. Executive Director Polos also advises he has no update. Chairman Nolan states he will try to have an update for the next meeting. Mr. Kratovil voices his concerns that the monthly updates from Devco are no longer being made on a regular basis. Mr. Kratovil mentions a fire yesterday at 986 Jersey Ave., Solterra Recycling Facility in New Brunswick, and asks whether anyone has any information on the fire and whether the fire has impacted the MCIA's business. Executive Director Polos advises that he is not aware of that fire in New Brunswick and that the MCIA has not been advised that there is any impact to its service.

14. **ADJOURNMENT**

Motion to adjourn made by Commissioner D'Agostino, seconded by Commissioner Abbey. Meeting adjourned by Chairman Nolan.

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
APPROVING AMENDMENT TO THE 2022 OPERATING BUDGET TO REFLECT
REVENUE AND EXPENSES SUBJECT TO THE AUTHORITY ACQUIRING CARTERET
PARKING GARAGE FACILITY LOCATED IN CARTERET, NEW JERSEY**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on May 11, 2022; and

WHEREAS, by Resolution # 21-83 duly adopted by the Authority on December 28, 2021, the Authority adopted the budget for General Operations for the year ending December 31, 2022; and

WHEREAS, the Authority would like to amend the 2022 budget for General Operations to reflect an estimated \$427,000.00 Revenue and \$313,000.00 Expense subject to and conditioned upon the Authority closing of title and acquiring Carteret Parking Garage Facility located in Carteret, New Jersey; and

WHEREAS, N.J.A.C. 5:31-2.8 requires that all amendments to the budget be approved and adopted by resolution of the Authority, passed by not less than a majority of the full membership.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MEMBERS OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AS FOLLOWS:

1. The amendments are made to the adopted budget of the Middlesex County Improvement Authority for General Operations for the year ending December 31, 2022, as set forth on Schedule A attached hereto and made a part hereof, subject to and conditioned upon the Authority closing of title and acquiring the Carteret Parking Facility.

2. The Authority directs that two certified copies of this complete amendment and resolution be filed forthwith with the Director of the Division of Local Government Services for his certification of the Authority budget so amended.

3. This Resolution shall take effect immediately.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
James P. Nolan	X			
Anthony Raczynski	X			
Paul Abbey	X			
Christine D'Agostino	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
CONCERNING REVIEW OF FINDINGS AND RECOMMENDATIONS OF THE
LOCAL FINANCE BOARD MADE AT A MEETING OF SAID BOARD ON
FEBRUARY 9, 2022 IN ACCORDANCE WITH N.J.S.A. 40A:5A-7**

WHEREAS, the findings and recommendations issued by the Local Finance Board (the “Board”) in connection with a proposed financing of The Middlesex County Improvement Authority (the “Authority”) have been filed with the Secretary of the Authority, and a copy has been received by each member of the governing body;

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority, shall certify by resolution to the Board that the members thereof have personally reviewed the findings and recommendations;

WHEREAS, the members of the governing body of the Authority have personally reviewed the Board’s findings and recommendations on the proposed project financing as evidenced by group affidavit of the governing body; and

WHEREAS, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of N.J.S.A. 52:27BB-52.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Authority hereby states that it has complied with the requirements of N.J.S.A. 40A:5A-7 and does hereby submit a certified copy of this resolution and the required affidavit to the Board to show evidence of said compliance.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
James P. Nolan	X			
Anthony Raczynski	X			
Paul Abbey	X			
Christine D’Agostino	X			

GROUP AFFIDAVIT FORM
CERTIFICATION OF GOVERNING BODY

STATE OF NEW JERSEY)
) SS.
COUNTY OF MIDDLESEX)

We, the members of the governing body of The Middlesex County Improvement Authority, being of full age and being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of The Middlesex County Improvement Authority.
2. We certify that, pursuant to N.J.S.A. 40A:5A-7, we have personally reviewed the February 9, 2022 findings and recommendations of the Local Finance Board on the proposed financing by The Middlesex County Improvement Authority of the Carteret Parking Project.

[Print]

[Signature]

James P. Nolan, Chairperson

Anthony Raczynski, Vice Chairperson

Paul Abbey, Secretary/Treasurer

Christine D'Agostino, Member

Sworn to and subscribed before me
this _____ day of _____, 2022.

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING PROCUREMENT OF INSURANCE COVERAGE FOR ROOSEVELT
CARE CENTER FACILITIES FOR THE PERIOD JUNE 1, 2022 – MAY 31, 2023**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on May 11, 2022; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the Authority is authorized to enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Authority operates the long-term care facilities Roosevelt Care Center at Old Bridge and Roosevelt Care Center and Edison; ("Roosevelt Care Center"); and

WHEREAS, the Authority requires certain healthcare professional and general liability insurance (the "Insurance") for Roosevelt Care Center; and

WHEREAS, the procurement of Insurance is an exception to the bidding requirements of the Local Public Contracts Law as an Extraordinary Unspecifiable Service pursuant to (N.J.S.A. 40A:11-5(i)(a)(ii) and N.J.A.C. 5:34-2.3(b); and

WHEREAS, the Certifying Finance Officer has certified that the value of the contract will exceed \$17,500.00; and

WHEREAS, the Authority's insurance producer solicited quotes for the provision of the Insurance from a number of carriers and recommends procurement of the Insurance from TDC for Professional and General Liability and from Starstone for Excess Liability through its managing underwriter, AB Risk; and

WHEREAS, the Authority would like to authorize the procurement of the Insurance for Roosevelt Care Center in accordance with this Resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MEMBERS OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AS FOLLOWS:

1. The Authority authorizes the procurement of the Insurance from TDC and Starstone through its managing underwriter, AB Risk through Acrisure, LLC (North American Insurance Management) at a cost not to exceed \$660,000.00. The Authority authorizes consideration of the

voucher or payment requisition for the payment of the Insurance simultaneously with the consideration of this Resolution.

2. The Authority authorizes the Chief Financial Officer to take any and all acts reasonable and necessary to bind the coverage, including, but not limited to, execution of any contracts or applications and hereby ratifies and confirms any action heretofore taken by the Chief Financial Officer in connection therewith.

3. The Secretary shall be and is hereby directed to cause a brief notice of the authorization to be printed as required by N.J.S.A. 40A:11-5(l)(a)(ii).

4. The Certifying Finance Officer has certified that the funds for the Insurance are available from and can be obtained from the funds of the Authority.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
James P. Nolan	X			
Anthony Raczynski	X			
Paul Abbey	X			
Christine D'Agostino	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
APPROVING PURCHASE OF ONE VEHICLE UNDER CAPITAL EQUIPMENT
IMPROVEMENT PROGRAM TO BE USED IN ROUTINE OPERATIONS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held May 11, 2022; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t) a county improvement authority is empowered to enter into any and all agreements or contracts, execute any and all instruments and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority or to carry out any power given in the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et seq. (the "Act"), subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Authority has available funds from Capital Equipment Improvement Program designated for the use of obtaining vehicles; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12(a), contracting units may without advertising for bids, or having rejected all bids obtained pursuant to advertising therefor, purchase any goods or services under any contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury.

WHEREAS, the Authority would like to authorize the procurement of one new vehicle to be used in routine operations in accordance with this Resolution; and

WHEREAS, the Authority seeks to purchase one vehicle from Gentilini Ford pursuant to Quote # EST 5971, dated April 6, 2022, that has been attached to this Resolution; and

WHEREAS, due to the current auto market and issues with vehicle demand and availability, the Authority is currently looking to obtain one new vehicle once they become available in an amount not to exceed \$30,000.00.

NOW, THEREFORE IT IS HEREBY RESOLVED BY THE MEMBERS OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AS FOLLOWS:

1. The Authority hereby approves the purchase of one new vehicle for a total amount not to exceed \$30,000.00.

2. The Authority hereby authorizes the Chairman or Executive Director to execute any purchase orders or documents that may be required to purchase the vehicle.

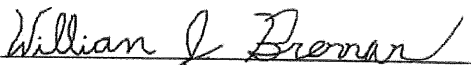
3. The Certifying Finance Officer has certified that the funds for the purchase are available from the funds of the Authority.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
James P. Nolan	X			
Anthony Raczynski	X			
Paul Abbey	X			
Christine D'Agostino	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
PAYMENT OF EXPENSES**

It is hereby resolved by the members of the Middlesex County Improvement Authority at its meeting of May 11, 2022, that payments as itemized on the attached bill list, attached hereto and made a part hereof, in the total amount of \$3,724,001.07 be authorized to be paid out of the Middlesex County Improvement Authority account.

This is to certify that the payments on the attached bill list, in the total amount of \$3,724,001.07 are correct and just and payment should be approved.



William J. Brennan, Chief Financial Officer

James P. Nolan, Chairman

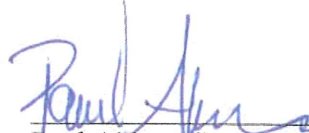
This is to certify that the above is a true copy of a Resolution adopted by the Middlesex County Improvement Authority at a meeting held on May 11, 2022, at which a quorum of the membership was present.

Paul Abbey, Secretary

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
James P. Nolan	X			
Anthony Raczynski	X			
Paul Abbey	X			
Christine D'Agostino	X			

CERTIFICATION

I, Paul Abbey, Secretary and Certifying Agent of the Middlesex County Improvement Authority, hereby certify that the attached is a true copy of the Minutes of the meeting of the Middlesex County Improvement Authority held on the 11th day of May, 2022.


Paul Abbey, Secretary