

MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
MINUTES – SPECIAL MEETING

Thursday, September 29, 2022 6:00 PM

(Held via Zoom)

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Meeting ID: 893 0054 3815
Passcode: 4218535638

Middlesex County Improvement Authority Office

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

1. **CALL TO ORDER/SALUTE TO FLAG:** Special 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, Special Conflict County Anthony Iaccocca, George Devaney from Keyword Strategies, and John Cole and Nick Ganescu from the County.

3. **SUNSHINE LAW STATEMENT:** Carol Berlen, Esq. read 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. Tonight's meeting is a special meeting in place of the previously scheduled regular meeting of the MCIA on September 14, 2022 where it was learned that the public was unable to access the meeting. Notice of this Special Meeting was given pursuant to the Open Public Meeting Act, at N.J.S.A. 10:4-6. Notice of the

Special Meeting was sent to the Star Ledger and Home News Tribune and was posted on the MCIA website and was sent to the Clerk of Middlesex County.”

4. **COMMITTEE REPORTS**

a) Recycling: Executive Director Polos advises that the recycling level has picked up, staffing levels have improved with the vendor, and the number of misses has dropped dramatically.

5. **CORRESPONDENCE**

No correspondence.

6. **OLD BUSINESS**

No old business.

7. **NEW BUSINESS**

a) Morris Cancer Center: Structural steel is at the 9th level of the building with completion of steel projected by mid-November. Contractors poured concrete up to the 4th level. Sprayed fireproofing was commenced on the lower levels. The parking garage the MCIA is responsible for cast and concrete continues on the lower level of the garage and the installation of the pre-cast panels for the garage is expected to commence at the end of November.

b) Valenti School: Exterior framing is well underway, roofing has commenced, elevator shafts are underway and they still have a projected completion date of August 2023.

c) Train Station: Completed 10% design, received minor comments from transit regarding submission, the Design Phase Agreement with Amtrak is completed; well into 30% design of the project, and things are moving ahead very swiftly.

8. **DISCUSSION OF RESOLUTIONS**

8(a) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING CHANGE ORDER #1 TO CONTRACT FOR CURBSIDE RECYCLING

8(b) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY APPROVING PURCHASE THROUGH COOPERATIVE PRICING SYSTEM WITH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY

8(c) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING PAYMENT OF ANNUAL ASSESSMENT TO THE MIDDLESEX COUNTY INSURANCE COMMISSION

8(d) RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING 2023 CODE OF CLASSIFICATIONS

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 August 10, 2022 made by Commissioner D'Agostino, seconded by Commissioner Raczynski. Approved by unanimous vote.

10. **PUBLIC COMMENTS ON RESOLUTIONS**

No public in attendance; no public comments

11. **APPROVAL OF RESOLUTIONS**

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

12. **PAYMENT OF VOUCHERS**

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

13. **PUBLIC SESSION**

No public in attendance; no public comments.

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
AUTHORIZING CHANGE ORDER #1 TO CONTRACT FOR CURBSIDE RECYCLING**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on September 14, 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 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., subject to the “Local Public Contracts Law,” N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Authority prepared and issued a bid specification package, advertised for bids for Curbside Recycling Services in Middlesex County with participating municipalities and received bids; and

WHEREAS, by Resolution # 19-151 duly adopted by the Authority on November 13, 2019, the Authority awarded a three-year contract for curbside recycling to Central Jersey Waste as the lowest responsive, responsible bidder received for the Service; and

WHEREAS, Resolution #19-151 awarded a total not exceed amount of \$6,908,776.32 annually; and

WHEREAS, a change order to the contract with Central Jersey Waste is required due to an increase in the number of new construction units and the addition of new municipalities to the program, as allowed for by the contract specifications, and as authorized by N.J.A.C. 5:30-11.3(9); and

WHEREAS, the value of the remaining 2022 and 2023 contract has increased due to the large number of units to be serviced by the Central Jersey Waste; and

WHEREAS, the Authority would like to authorize a change order to the contract with Central Jersey Waste to provide for the increase in the number of units and municipalities being added to the program in excess of previously anticipated increases; and

WHEREAS, due to the increase in the number of monthly base units to be serviced by Central Jersey Waste, it is necessary to increase the annual not to exceed amount to \$8,290,532.58 annually, an increase of 20%; and

WHEREAS, the Authority would like to approve change order #1 to increase the budget of the curbside recycling for the remainder of contract which is a portion of year 2022 and 2023;

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

1. The Authority hereby authorizes a written amendment to the contract for change order #1 for curbside recycling in an amount not to exceed \$8,290,532.58.

2. The Certifying Finance Officer has certified that the additional funds are available from the funds of the Authority and the Certifying Finance Officer is hereby authorized to amend the certifications to reflect the above increases.

<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 forgoing is a true copy of a resolution adopted at the special meeting of the Authority held on the 29th day of September, 2022 as same appears on record in the minute book of the Authority.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Authority this 29th day of September, 2022.

Paul Abbey, Secretary

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
APPROVING PURCHASE THROUGH COOPERATIVE PRICING SYSTEM WITH
EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on September 14, 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, pursuant to N.J.S.A. 40A:11-11(5), two or more contracting units may establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a cooperative pricing agreement for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission now known as the Educational Services Commission of New Jersey (the "Commission") has established a voluntary Cooperative Pricing System (the "System") with other contracting units to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, the Authority by Resolution 09-86 duly adopted by the Authority on June 10, 2009, authorized participation in the System and approved a cooperative pricing system agreement (the "Agreement") with the Commission; and

WHEREAS, the Commission has certain products and services included in the System; and

WHEREAS, the Middlesex County Board of Chosen Freeholders on June 2, 1994 adopted Amendment 1994-2 to its Solid Waste Management Plan, which Amendment assigned the implementation responsibilities for the yard waste and curbside recycling programs (the "Programs") for the County of Middlesex to the Authority; and

WHEREAS, in operating the Program, the Authority is in need of certain containers that are available from the System; and

WHEREAS, the Authority would like to authorize the procurement of the recycling containers from the System 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 hereby approves the purchase of 1,200 32-gallon round recycling containers from TMF Corporation under ESCNJ Contract #22/23-14 for a not to exceed amount of \$22,200.00

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

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			

CERTIFICATION

I, Paul Abbey, Secretary and Certifying Agent of the Middlesex County Improvement Authority, hereby certify that the forgoing is a true copy of a resolution adopted at the special meeting of the Authority held on the 29th day of September, 2022 as same appears on record in the minute book of the Authority.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Authority this 29th day of September, 2022.

Paul Abbey, Secretary

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING PAYMENT OF ANNUAL ASSESSMENT TO THE
MIDDLESEX COUNTY INSURANCE COMMISSION**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on September 14, 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 requires certain insurance (the "Insurance") for the various operations of the Authority; and

WHEREAS, the procurement of Insurance is an exception to the bidding requirements of the Local Public Contracts Law; and

WHEREAS, the Authority procures the Insurance through the Middlesex County Insurance Commission (the "Commission") for general liability, automobile liability and automobile physical damage and is a member of the Commission; and

WHEREAS, the By Laws of the Commission provide for annual member assessments; and

WHEREAS, the Commission has provided the Authority with its 2022 annual assessment for the Insurance; and

WHEREAS, the Authority would like to authorize the payment to the Commission of the 2022 annual assessment for the Insurance 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 payment of the 2022 annual assessment for the Insurance to the Commission in the amount of \$324,450.00.
2. 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			

CERTIFICATION

I, Paul Abbey, Secretary and Certifying Agent of the Middlesex County Improvement Authority, hereby certify that the forgoing is a true copy of a resolution adopted at the special meeting of the Authority held on the 29th day of September, 2022 as same appears on record in the minute book of the Authority.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Authority this 29th day of September, 2022.

Paul Abbey, Secretary

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING 2023 CODE OF CLASSIFICATIONS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on September 14, 2022; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(n), the Authority may do and perform any acts and things authorized by the County Improvement Authorities Law, under, through or by means of its own officers, agents, and employees; and

WHEREAS, by Resolutions heretofore duly adopted by the Authority, the Authority has established certain classifications, appointments and salary ranges for employees of the Authority (the “Code”); and

WHEREAS, the Authority would like to adopt the revised Code of the Authority and to approve other actions in connection therewith.

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

1. The Authority authorizes and adopts the revised Code as set forth on the schedule attached hereto and made a part hereof.

2. The Authority authorizes the Chief Financial Officer to make any adjustments or corrections to the Code to correct any administrative or clerical errors, subject to approval of the Personnel Committee of the Authority. The Authority also authorizes the Chief Financial Officer to establish and implement no benefits wage rates for employees.

3. The Personnel Committee shall approve hiring of employees in the job titles and within the salary ranges set forth on the Code with the exception of hiring of union employees covered under a collective bargaining agreement at Roosevelt Care Center at Edison and Roosevelt Care Center at Old Bridge.

4. The Authority authorizes the Chairman and Chief Financial Officer to approve hiring and termination of union employees at Roosevelt Care Center at Edison and Roosevelt Care Center at Old Bridge.

5. The Authority authorizes the Chairman and Chief Financial Officer to settle grievances under any collective bargaining agreements.

6. This Resolution shall take effect immediately and shall govern over any conflicting resolutions adopted heretofore.

<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 forgoing is a true copy of a resolution adopted at the special meeting of the Authority held on the 29th day of September, 2022 as same appears on record in the minute book of the Authority.

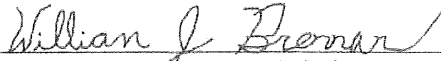
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Authority this 29th day of September, 2022.

Paul Abbey, Secretary

**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 September 14, 2022, that payments as itemized on the attached bill list, attached hereto and made a part hereof, in the total amount of \$4,331,807.13 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 \$4,331,807.13 are correct and just and payment should be approved.


William J. Brennan, Chief Financial Officer

James P. Nolan, Chairman

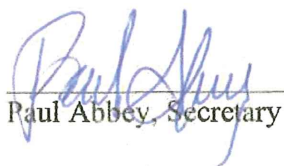
This is to certify that the above is a true copy of a Resolution adopted by the Middlesex County Improvement Authority at a meeting held on September 14, 2022, at which a quorum of the membership was present.

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 special meeting of the Middlesex County Improvement Authority held on the 29th day of September, 2022.


Paul Abbey, Secretary