

MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

MINUTES OF THE MEETING

**Wednesday, December 14, 2017 at 6:00 p.m.
Middlesex County Improvement Authority Office
101 Interchange Plaza, Second Floor
Cranbury (South Brunswick), N.J.**

1. SALUTE TO FLAG/CALL TO ORDER

This meeting was called to order by Chairman Roseman at 6:00 p.m.

2. ROLL CALL OF OFFICERS

A roll call of the members was conducted by Carol A Berlen, Esq.

Leonard J. Roseman	Chairman	Present
Anthony Raczynski	Secretary	Present
Paul Abbey		Present

OTHERS PRESENT: Carol A Berlen, Esq., Rainone Coughlin Minchello, LLC, Authority General Counsel, Executive Director James Polos, Lory Cattano, CFO

SUNSHINE LAW STATEMENT

Carol A. 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.”

3. CORRESPONDENCE

McFoods received 54.5 tons of donations for the month of November, 2017. From January to November 2017 they received and distributed 1,715,641 pounds of food to date which is in excess of the amount received for the same time period in 2016.

Notable product contributions in November included 3 pallets of cranberry sauce (5,544 pounds) from NORWESCAP Food Bank in Phillipsburg. Tyler Distribution provided 5 pallets of assorted products including steel cut oats, hot sauce, oatmeal, granola, fig jam, pad thai noodle kits and sesame oil. Summit Import provided 10 pallets of assorted food including noodles, beverages, seasoning mixes and canned mushrooms.

Farmers Against Hunger delivered seven pallets of apples, sweet potatoes and assorted produce and four pallets of Thanksgiving bags that included carrots, potatoes, sweet potatoes and apples.

Many Thanksgiving collections took place throughout the month of November and in order to accommodate the excess activities, McFoods was assisted by the staff at Tamarack Golf Course and Middlesex County OEM. They are grateful for their support and assistance.

Community Partnerships last month included: Middlesex Borough Youth Food Drive, Fed Ex Cares, United Way Food Drive, Middlesex County Departments Holiday Food Drive, NJ FCCLA, Old Bridge High School JR ROTC, Metuchen High School, Rutgers Against Hunger, St Bartholomew Church, East Brunswick.

On November 18, 2017 the Home News Tribune featured an article on the creation of Feeding Middlesex County and its efforts to fight hunger in the community in partnership with MCFOODS.

4. COMMITTEE REPORTS

- a) Financial Report: A motion was made by Mr. Raczynski and seconded by Mr. Abbey to receive and file the financial report. Approved by all members present.
- b) Recycling Report: Executive Director Polos reported that they had completed the transition of moving the Recycling Division offices into the IA offices which will result in an approximate \$70,000 saving to the MCIA. There are three positions open in the recycling department with the retirement of Ed Windas last month and they will be looking to fill the positions in the coming months. Commissioner Abbey asked whether we had been previously renting the office space Recycling had occupied. The Director responded yes, plus an additional cost for phone and computer service which accounted for the \$70,000 savings by moving the operation to the IA.
- c) Golf Report: A motion was made by Mr. Raczynski and seconded by Mr. Abbey to receive and file the golf report. Approved by all members present.
- d) Finance Report -- CFO Lory Cattano commented that the budget process had gone very smoothly this year and that there were no questions from the DCA with regard to the MCIA Budgets. A motion was made by Mr. Abbey and seconded by Mr. Raczynski to receive and file the finance report. Approved by all members present
- e) Economic Development Report –None. The Chairman suggested that in the future the Economic Development report be removed from the agenda if we are no longer funding the committee.

5. OLD BUSINESS

6. NEW BUSINESS

7. DISCUSSION OF RESOLUTIONS

Ms. Berlen explained the following resolutions:

8(a) Establishing Meeting Dates of the MCIA for 2018 Calendar Year

8(b) Exercising Option to Extend Term of Contract for Collection and Marketing of Recyclable Materials

8(c) Approving and Adopting Payments to Municipalities for Recycling Services – Executive Director Polos explained that the C-town subsidy applied to 6 or 7 communities and with the backing of the County Administration, he was recommending that the subsidy be phased out over the next three years. C-town communities would receive 1/3 less of their subsidy in 2018, 1/3 less in 2019 and 1/3 less in 2020. Commissioner Radczynski indicated that he thought the subsidy should be cut off completely in the coming year.

8(d) Approving Purchase Through Cooperative Pricing System with Education Services Commission of New Jersey (purchase of 20 gallon recyclable containers)

8(e) Authorizing Amendment of Contract Expiration Dates for Approved NJ State Contract Vendors (Nestle USA, National Terminal and Fyr-Fyter Sales & Service Inc.)

8(f) Exercising Second Option to extend Term of Contract for Cleaning Services at the Recycling Division Offices and Clubhouses at the Golf Courses - Executive Director Polos requested a revision to this resolution to remove the Recycling Division offices from the Cleaning Service contract as the offices have been moved to the IA. Revision will be made to the final version of the resolution and Carol Byrnes will notify the vendor of the change if it has not already been done.

8(g) Authorizing Amendment to Certification of Funds for a Certain State Contract Vendor (Medicare Supply Inc.)

8(h) Authorizing Amendment to Certification of Funds for Certain NJHA Contracts (McKesson Medical-Surgical Supply, Arjo, WW Grainger and Penn Jersey Paper)

8(i) Award of Contract for Irrigation Equipment Service and Repair Service at Tamarack Golf Course, the Meadows at Middlesex and Raritan Landing Golf Course

8(j) Authorizing Contract for Hairdressing Services for Roosevelt Care Center Facilities

8(k) Authorizing Contract for Pharmacy Consulting Services for Roosevelt Care Center Facilities

8(l) Authorizing Agreement with the County of Middlesex for Respite Care Program

8(m) Amending 2017 Budget – General Operations

8(n) Amending 2017 Budget – Golf Course Operations

8(o) Amending 2017 Budget- Roosevelt Care Center Facilities

8(p) Adoption of 2018 Budget (Golf Course Operations)

8(q) Adoption of 2018 Budget (Roosevelt Care Center Facilities)

8(r) Adoption of 2018 Budget (General Operations)

8(s) Awarding Contract for Food Service and Food Service Management for Roosevelt Center Facilities -- Executive Director Polos explained that this was a re-designed bid specification to increase the quality of the food (including name brand products) and control of the special event dinners that occur throughout the year. The Director thanked all the facility chefs who participated in the various meetings to accomplish this. Going forward the staff will have regular food service meetings (nursing staff and food service staff jointly). The cost was similar to prior years but there will be an improved quality of food for the patients. Commissioner Abbey commented that the prior rotating menu had gotten tiresome and he was glad there would be changes and improvement in the food quality.

8(t) Authorizing Change Order for the Installation of New Telephone and Cable Network System at the MCIA Offices -- The Executive Director advised the IA offices would be receiving all new telephones and cabling, which would increase the speed of the internet service. Chairman Roseman inquired about WiFi and the Executive Director indicated they were putting two lines in the meeting room through the cable system.

8(u) Authorizing Procurement of Excess Insurance Policy for Worker's Compensation Insurance Fund

8(v) Authorizing Contract for Elevator Services for Roosevelt Care Center- Edison

8(w) Authorizing Extension of Contract for Food and Beverage Concession at Raritan Landing Golf Course

8(x) Authorizing the Preparation and Execution of all required amendments relating to the NBPAC Project Residential Tower Loan

8(y) Authorizing Extension of Contract for Food and Beverage Concession at the Meadows at Middlesex Golf Course

8(z) Authorizing Amendment for Certification of Funds for Pharmacy Services at Roosevelt Care Center Facilities (Geriscript Pharmacy, LLC)

8(aa) Authorizing increase in Amount of General Counsel Professional Services Contract

8(bb) Authorizing Re-Appointment of Executive Director

8(cc) Authorizing Affiliation Agreement with JFK Johnson Rehabilitation Institute – The Chairman commented that this was a program with the vocational high school to provide work situations to graduating students and was a very worthwhile program for JFK and the RCC Facilities

8(dd) Authorizing Executive Director to Sign Payroll Account Acknowledgement for AFLAC

8(ee) Authorizing Two Month Extension of Medical Equipment Lease Agreement for Roosevelt Care Center Facilities

8(ff) Amending 2018 Capital Budget - Golf Course Operations

8 (gg) Authorizing Engineering and Legal Services for the Public Private Partnership for Reducing Operating Costs of the Middlesex County Utilities Authority Sludge Facilities

8(hh) Declaring F&B Fine Catering in Default on Contract for Food and Beverage Concession at Tamarack Golf Course – The Executive Director advised that the vendor was struggling and was in arrears on his rent, that the vendor had staffing issues and a lack of business so he was being terminated and a new bid for the concession was being issued.

8. APPROVAL OF MINUTES

A. The Minutes of the Agenda Session and Regular Meeting of November 8, 2017 were presented to the members for review.

MOTION: Upon motion duly made by Mr. Abbey, seconded by Mr. Raczynski, and unanimously passed by the members present, the meeting minutes were approved.

9. PUBLIC COMMENTS ON RESOLUTIONS

There was no one present in the public to comment on the resolutions

10. APPROVAL OF RESOLUTIONS

Upon motion duly made by Mr. Abbey, and seconded by Mr. Raczynski and unanimously approved by the members present, the members determined to consider the resolutions by consent and adopted the following resolutions:

17-

Agenda 8(a)

RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY ESTABLISHING MEETING DATES FOR THE COMING YEAR

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, the Authority is subject to the provisions of the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, pursuant to N.J.S.A. 10:4-18, the Authority is required to post and maintain posted throughout the year, a schedule of regular meetings of the Authority for the coming year; and

WHEREAS, the Authority would like to establish the schedule of regular meetings of the Authority for the coming year.

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

1. The Authority hereby establishes the following schedule of regular meetings for the year:

January 9, 2018	July 11, 2018
February 14, 2018	August 8, 2018
March 14, 2018	September 12, 2018
April 11, 2018	October 10, 2018
May 9, 2018	November 14, 2018
June 13, 2018	December 12, 2018

2. The regular meetings shall be held at 6:00 P.M. at the offices of the Authority, 101 Interchange Plaza, Cranbury, New Jersey.

3. The Authority may consider and take action on agenda items and all items that may come before the Authority at the meetings.

4. The Authority may amend this schedule of regular meetings from time to time and shall provide notice thereof in accordance with the provisions of the Senator Byron M. Baer Open Public Meetings Act.

5. The Secretary is directed to publish and post a schedule of the regular meetings in accordance with the Senator Byron M. Baer Open Public Meetings Act.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(b)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
EXERCISING OPTION TO EXTEND TERM OF CONTRACT FOR COLLECTION
AND MARKETING OF RECYCLEABLE MATERIALS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; 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., subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Authority requires collection and marketing of recyclable materials for participating municipalities in Middlesex County (the "Services"); and

WHEREAS, the Authority prepared and issued a bid specification package and publicly advertised for bids for the Services; and

WHEREAS, by Resolution 15-29 duly adopted by the Authority on February 11, 2015, the Authority awarded a contract for the Services to Central Jersey Waste and Recycling Inc. as the lowest responsive bid received for the Services; and

WHEREAS, the Authority reserved the option of extending the term of the contract for the Services for two (2) additional one (1) year terms; and

WHEREAS, the Authority finds that the Services are provided in an effective and efficient manner; and

WHEREAS, the Authority would like to exercise the first option and extend the term of the contract for the Services with Central Jersey Waste and Recycling Inc. for a period of one (1) year which will allow services to continue through March 28, 2019 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 finds that the Services are being provided by Central Jersey Waste and Recycling Inc. in an effective and efficient manner.
2. The Authority hereby exercises the first option and extends the term of the contract for the Services with Central Jersey Waste and Recycling Inc. for a period of one (1) year at an annual cost not to exceed \$3,600.00.
3. The Certifying Finance Officer has certified that the funds for the Services 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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(c)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
APPROVING AND ADOPTING PAYMENTS
TO MUNICIPALITIES FOR RECYCLING SERVICES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on December 14, 2017; and

WHEREAS, the Middlesex County Board of Chosen Freeholders (the “County”) on June 2, 1994 adopted Amendments 1994-1, 1994-2 and 1994-3 to the County’s Solid Waste Management Plan (the “Amendments”) which Amendments, among other things, proposed the use of Resource Recovery Investment Tax (“RRIT”) Fund Moneys for a County-wide curbside recycling program by means of the municipal recycling assistance program and reassigned the implementation responsibilities for the County-wide Recycling Program from the County’s Department of Solid Waste Management to the Authority; and

WHEREAS, the State of New Jersey Department of Environmental Protection (“DEP”) by certification of Robert C. Shinn, Commissioner of the DEP, dated October 3, 1994, approved the Amendments; and

WHEREAS, by Resolution 15-48 duly adopted by the Authority on March 11, 2015, the Authority, among other things, authorized the entering into and execution of agreements (the “Agreements”) with municipalities of the County of Middlesex (the “County”) for the provision of recycling collection and marketing services (the “Services”) pursuant to the County-wide recycling program (the “Program”) implemented by the Authority; and

WHEREAS, pursuant to the Agreements, the Authority pays on behalf of municipalities of the County that participate in the Program (the “A Towns”) a portion of the costs of certain of the Services; and

WHEREAS, the Authority will provide a grant to the municipalities not participating in the Program for a portion of the cost of the provision of the Services in the municipality by the respective municipality (the “C Towns”); and

WHEREAS, the Authority desires to approve and adopt formulas for payments to be made to the C Towns for the 2017 year.

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

1. The Authority approves and ratifies the payment of a portion of the cost of the Services to the C Towns for the fiscal year January 1, 2017 through December 31, 2017, or part thereof as applicable, as set forth on Schedule A attached hereto and made a part hereof, and as approved by the Executive Director and Certifying Finance Officer of the Authority.

2. The Authority authorizes the Certifying Finance Officer to make payments to the C Towns in accordance with Schedule A.

3. The Certifying Finance Officer has certified that the funds for the payments 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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(d)

**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 December 14, 2017; 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 2,309 20 gallon round recycling containers from TMF Corporation under ESCNJ Contract #15/16-25 for a not to exceed amount of \$21,992.80.

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 and have been included in the 2018 budget.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(e)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING AMENDMENT OF CONTRACT EXPIRATION DATES FOR
APPROVED NJ STATE CONTRACT VENDORS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the 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 and 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, pursuant to N.J.S.A. 40A: 11-12, the Authority is authorized to purchase any materials, supplies or equipment without publicly advertising for bids, under any contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury (the “State”); and

WHEREAS, purchases made through the State contract are considered procured through a fair and open process in accordance with N.J.S.A 19:44-20.4; and

WHEREAS, by Board Resolution # 17-40 duly adopted by the Authority on February 8, 2017, the Authority authorized purchases from the New Jersey State Contractors Vendor List; and

WHEREAS, the Authority would like to approve an amendment to the New Jersey State Vendor Contract List 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 amendment to the NJ State Contracts Vendor List as follows:

Nestle USA d/b/a Medicare Supply Inc. Contract #085420-T1621 Expires 11/30/19
National Terminal Contract #82768-T1845 Expires 2/28/18
Fyr-Fyter Sales & Service Inc. Contract #81286-T0576 Expires 5/31/18

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(f)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
EXERCISING SECOND OPTION TO EXTEND
TERM OF CONTRACT FOR CLEANING SERVICES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; 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., subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Authority requires cleaning services (the "Services") for the clubhouses at the Golf Courses; and

WHEREAS, the Authority prepared and issued a bid specification package and publicly advertised for bids for the Services; and

WHEREAS, by Resolution 15-204 duly adopted by the Authority on December 14, 2015, the Authority awarded a contract for the Services to Alvin Betancourt dba Pure Cleaning Services as the lowest responsive bid received for the Services; and

WHEREAS, the Authority reserved the option of extending the term of the contract for the Services for two (2) additional one (1) year terms; and

WHEREAS, the Authority finds that the Services are provided in an effective and efficient manner; and

WHEREAS, the Authority exercised their first option to extend the term of the contract for the Services with Alvin Betancourt dba Pure Cleaning Services for a period of one year by Resolution # 17-04 duly adopted on January 11, 2017; and

WHEREAS, the Authority would like to exercise the second option and extend the term of the contract for the Services with Alvin Betancourt dba Pure Cleaning Services for a period of one (1) year 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 finds that the Services are being provided by Alvin Betancourt dba Pure Cleaning Services in an effective and efficient manner.
2. The Authority hereby exercises the second option and extends the term of the contract for the Services with Alvin Betancourt dba Pure Cleaning Services for a period of one (1) year at an annual cost not to exceed \$25,932.00.
3. The Certifying Finance Officer has certified that the funds for the Services 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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(g)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING AMENDMENT TO CERTIFICATION OF FUNDS FOR A CERTAIN
STATE CONTRACT VENDOR**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the 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 and 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, pursuant to N.J.S.A 40A: 11-12, the Authority is authorized to purchase any materials, supplies or equipment without publicly advertising for bids, under any contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury (the “State”); and

WHEREAS, purchases made through the State contract are considered procured through a fair and open process in accordance with N.J.S.A 19:44-20.4; and

WHEREAS, by Board Resolution # 17-40 duly adopted by the Authority on February 8, 2017, the Authority authorized purchases from the New Jersey State Contractors Vendor List; and

WHEREAS, the Authority would like to authorize an amendment to the certification of funds for certain of the contracts approved by Resolution 17-40 to reflect increases in the cost of the contracts 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 authorizes amendment to the certification of funds for Resolution 17-40 to increase the certification by the following amounts:

Medcare Supply Inc.	\$20,000	#85420-T1621	Expires 11/30/19
---------------------	----------	--------------	------------------

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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(h)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING AMENDMENT TO CERTIFICATION OF FUNDS FOR CERTAIN
NJHA CONTRACTS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the 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 and 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 is permitted to procure items without publicly advertising for bids through the New Jersey Hospital Association vendors (“NJHA”); and

WHEREAS, by Resolution 17-41 duly adopted by the Authority on February 8, 2017, the Authority authorized purchases through the NJHA; and

WHEREAS, the Authority would like to authorize an amendment to the certification of funds for certain of the contracts approved by Resolution 17-41 to reflect increases in the cost of the contracts 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 authorizes amendment to the certification of funds for Resolution 17-41 to increase the certification by the following amounts:

McKesson Medical-Surgical Supply	\$115,000	Contract # ND60012	Expires 6/30/18
Arjo	\$25,000	Contract #CE2911	Expires 2/28/19
WW Grainger	\$9,000	Contract # FM0020	Expires 7/31/22
Penn Jersey Paper	\$36,000	Contract NJ602	Expires 12/31/21

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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(i)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING AWARD OF
CONTRACT FOR IRRIGATION EQUIPMENT SERVICE AND REPAIR SERVICES
AT TAMARACK GOLF COURSE, THE MEADOWS AT MIDDLESEX AND RARITAN
LANDING GOLF COURSE**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(h), the Authority is empowered to improve, further and promote the tourist industries and recreational attractiveness of the County through the planning, acquisition, construction, improvement, maintenance and operation of facilities for the entertainment and recreation of the public; and

WHEREAS, in furtherance of this statutory provision, the Authority operates Tamarack Golf Course, The Meadows at Middlesex Golf Course and Raritan Landing Golf Course (collectively, the "Golf Courses"); 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., subject to the "Local Public Contracts Law," N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Authority is in need of services for the provision of the irrigation equipment service and repair at the Golf Courses (the "Services"); and

WHEREAS, the Authority publicly advertised for bids for the Services for the Golf Courses and received bids from Storr Tractor Company, Winterberry Irrigation LLC and Middletown Sprinkler Company; and

WHEREAS, the Authority would like to accept the bid of Storr Tractor Company for the provision of the Services at Tamarack Golf Course; and

WHEREAS, the Authority would like to accept the bid of Middletown Sprinkler Company for the provision of the Services at The Meadows at Middlesex Golf Course and Raritan Landing Golf Course 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 accepts the bid of Storr Tractor Company and awards a contract to Storr Tractor Company for the provision of the Services at Tamarack Golf Course in accordance with the bid proposal for Tamarack Golf Course attached hereto and made a part hereof.

2. The Authority hereby accepts the bid of Middletown Sprinkler Company and awards a contract to Middletown Sprinkler Company for the provision of the Services at The Meadows at Middlesex Golf Course and Raritan Landing Golf Course in accordance with the bid proposal for The Meadows at Middlesex Golf Course and Raritan Landing Golf Course attached hereto and made a part hereof.

3. The Authority authorizes the Chairman or Vice-Chairman to execute a contract with Storr Tractor Company for the provision of the Services at Tamarack Golf Course in the form contained in the bid specification package. The Secretary shall be authorized to attest to the signature of the Chairman or Vice-Chairman appearing thereon and to affix the seal of the Authority thereto.

4. The Authority further authorizes the Chairman or Vice-Chairman to execute a contract with Middletown Sprinkler Company for the provision of the Services at The Meadows at Middlesex Golf Course and Raritan Landing Golf Course in the form contained in the bid specification package. The Secretary shall be authorized to attest to the signature of the Chairman or Vice-Chairman appearing thereon and to affix the seal of the Authority thereto.

5. The Certifying Finance Officer has certified that the funds for the contracts for the Services are available from the funds of the Authority.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Paul Abbey	X			

17-

Agenda 8(j)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING CONTRACT FOR HAIRDRESSING SERVICES FOR ROOSEVELT
CARE CENTER FACILITIES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(a), the Authority may provide within the County of Middlesex, public facilities; and

WHEREAS, in furtherance of this provision, the Authority operates the Roosevelt Care Center facilities in the Township of Edison and the Township of Old Bridge (collectively, "Roosevelt Care Center"); and

WHEREAS, the Authority requires the provision of hairdressing services (the "Services") for residents of Roosevelt Care Center; 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., subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, pursuant to the Local Public Contracts Law, the Authority is authorized to award certain contracts without public advertisement for bids when such contracts are for professional or extraordinary unspecifiable services or are under the bid threshold; and

WHEREAS, the Authority has a need to acquire the Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

WHEREAS, the anticipated term of the contract is one (1) year; and

WHEREAS, the Authority has received a proposal from JEM Haircare Services, Inc. (“JEM”) to provide the Services; and

WHEREAS, JEM has completed and submitted a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contributions to a political or candidate committee of the County of Middlesex in the previous one year and that the contract with JEM will prohibit JEM from making reportable contributions through the term of the contract; and

WHEREAS, the Authority would like to award a contract to JEM for the provision of the Services 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 accepts the proposal of JEM and awards a contract to JEM for the provision of the Services for a cost not to exceed \$2,000.00.

2. The Authority approves the agreement with JEM in substantially the form attached with such changes as shall be approved by the Chairman on advice of counsel.

3. The Authority authorizes the Chairman or Vice-Chairman to execute the agreement with JEM in the form so approved.

4. The Secretary is authorized to publish a brief notice of the award of the contract pursuant to N.J.S.A. 40A:11-5(l)(a)(i).

5. The Certifying Finance Officer has certified that the funds for the Services are available and will be included in the appropriate budgets.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(k)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING CONTRACT FOR PHARMACY CONSULTING SERVICES FOR
ROOSEVELT CARE CENTER FACILITIES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(a), the Authority may provide within the County of Middlesex, public facilities; and

WHEREAS, in furtherance of this provision, the Authority operates Roosevelt Care Center at Edison and Roosevelt Care Center at Old Bridge (collectively, “Roosevelt Care Center”); and

WHEREAS, the Authority requires the provision of pharmacy consulting services (the “Services”) for Roosevelt Care Center; and

WHEREAS, the Authority has received a proposal for the provision of the Services from Clinical Research Systems Inc. (“Clinical”); 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., subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, pursuant to the Local Public Contracts Law, the Authority is authorized to award certain contracts without public advertisement for bids when such contracts are for professional services; and

WHEREAS, the Services are professional services which do not require public bidding; and

WHEREAS, the Authority has a need to acquire the Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

WHEREAS, the anticipated term of the contract is one (1) year; and

WHEREAS, Clinical has completed and submitted a Business Entity Disclosure Certification which certified that Clinical has not made any reportable contributions to a political or candidate committee as prohibited by the law in the previous year, and that the contract will prohibit Clinical from making any reportable contribution through the term of the contract; and

WHEREAS, the Authority would like to award a contract to Clinical for the provision of the Services 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 accepts the proposal of Clinical and awards a contract to Clinical for the provision of the Services in an amount not to exceed \$70,000.00.

2. The Authority approves the agreement with Clinical in substantially the form attached hereto with such changes as shall be approved by the Chairman on advice of counsel.

3. The Authority authorizes the Chairman to execute the agreement with Clinical in the form so approved.

4. The Business Entity Disclosure Certification and the Determination of Value shall be placed on file.

5. The Secretary is authorized to publish a brief notice of the award of the contract pursuant to N.J.S.A. 40A:11-5(l)(a)(i).

6. The Certifying Finance Officer has certified that the funds for the Services will be included in the 2018 budget.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING AGREEMENT WITH THE COUNTY OF MIDDLESEX
FOR RESPITE CARE PROGRAM**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority) was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40 :37A-55(t), the 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 and things necessary, convenient or desirable for the purpose of the Authority, subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq; and

WHEREAS, the County of Middlesex (the “County”) oversees a program (the “Program”) for the provision of respite services (the “Services”) for caregivers; and

WHEREAS, the Authority is able to provide the Services at Roosevelt Care Center at Edison and Roosevelt Care Center at Old Bridge (collectively, “Roosevelt Care Center”); and

WHEREAS, the County would like to enter into an agreement with the Authority for the provision of the Services for the Program at Roosevelt Care Center; and

WHEREAS, the Authority would like to approve the provision of the Services for the Program and authorize the entering into and execution of an agreement with the County for the provision of the Services at Roosevelt Care Center.

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

1. The Authority hereby approves the provision of the Services at Roosevelt Care Center for the Program and approves the Inter Agency Agreement with the County in substantially the form attached with such changes as shall be approved by the Chairman on advice of counsel.
2. The Authority hereby authorizes the Chairman or Vice-Chairman to execute the Inter Agency Agreement with the County in the form so approved. The Secretary shall be authorized to attest to the signature of the Chairman or Vice-Chairman appearing thereon and to affix the seal of the Authority thereto.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AMENDING 2017 BUDGET -
GENERAL OPERATIONS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, by Resolution #16-200 duly adopted by the Authority on December 14, 2016, the Authority adopted the budget for General Operations for the year ending December 31, 2017; and

WHEREAS, the Authority would like to amend the 2017 budget for General Operations to reflect decreases in anticipated revenues and appropriations and to amend the capital budget and the funding thereof for the 2017 year; 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, 2017 as set forth on Schedules A and B attached hereto and made a part hereof.
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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(n)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AMENDING 2017 BUDGET -
GOLF COURSE OPERATIONS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, by Resolution #16-201 duly adopted by the Authority on December 14, 2016, the Authority adopted the budget for Golf Course Operations for the year ending December 31, 2017; and

WHEREAS, the Authority would like to amend the 2017 budget for Golf Course Operations to reflect increases in anticipated revenues and appropriations, an increase in unrestricted net assets utilized and to amend the capital budget and the funding thereof for the 2017 year; 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 Golf Course Operations for the year ending December 31, 2017 as set forth on Schedules A and B attached hereto and made a part hereof.

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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(o)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AMENDING 2017 BUDGET -
ROOSEVELT CARE CENTER**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, by Resolution #16-202 duly adopted by the Authority on December 14, 2016, the Authority adopted the budget for Roosevelt Care Center for the year ending December 31, 2017; and

WHEREAS, the Authority would like to amend the 2017 budget for Roosevelt Care Center to reflect a decrease in anticipated revenues and decrease in budget appropriations; 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 Roosevelt Care Center for the year ending December 31, 2017 as set forth on Schedule A attached hereto and made a part hereof.

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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
ADOPTING 2018 BUDGET**

GOLF COURSE OPERATIONS

FISCAL YEAR: From January 1, 2018 to December 31, 2018

WHEREAS, the Annual Budget and Capital Budget/Program for the Middlesex County Improvement Authority for Golf Course Operations for the fiscal year beginning January 1, 2018 and ending December 31, 2018 has been presented for adoption before the governing body of the Middlesex County Improvement Authority at its open public meeting of December 14, 2017; and

WHEREAS, the Annual Budget and Capital Budget for Golf Course Operations as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget for Golf Course Operations as presented for adoption reflects Total Revenues of \$ 3,138,000.00, Total Appropriations, including any Accumulated Deficit, if any, of \$4,742,000.00 and Total Unreserved Retained Earnings utilized of \$ 1,604,000.00; and

WHEREAS, the Annual Budget for Golf Course Operations as introduced reflects Total Capital Appropriations of \$495,000.00 and Total Unreserved Retained Earnings planned to be utilized as funding thereof of \$-0-.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Middlesex County Improvement Authority, at an open public meeting held on December 14, 2017 that the Annual Budget and Capital Budget/Program of the Middlesex County Improvement Authority for Golf Course Operations for the fiscal year beginning January 1, 2018 and ending December 31, 2018 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program for Golf Course Operations as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Anthony Raczynski, Secretary
December 14, 2017

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
ADOPTING 2018 BUDGET**

ROOSEVELT CARE CENTER FACILITIES

FISCAL YEAR: From January 1, 2018 to December 31, 2018

WHEREAS, the Annual Budget and Capital Budget/Program for the Middlesex County Improvement Authority for the fiscal year beginning January 1, 2018 and ending December 31, 2018 has been presented for adoption before the governing body of the Middlesex County Improvement Authority at its open public meeting of December 14, 2017; and

WHEREAS, the Annual Budget and Capital Budget for the Roosevelt Care Center Facilities as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget for the Roosevelt Care Center Facilities as presented for adoption reflects Total Revenues of \$47,476,188.00, Total Appropriations, including any Accumulated Deficit, if any, of \$47,476,188.00 and Total Unreserved Retained Earnings utilized of \$- 0-; and

WHEREAS, the Annual Budget for the Roosevelt Care Center Facilities as introduced reflects Total Capital Appropriations of \$1,258,000.00 and Total Unreserved Retained Earnings planned to be utilized as funding thereof of \$-0-.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Middlesex County Improvement Authority, at an open public meeting held on December 14, 2017 that the Annual Budget and Capital Budget/Program of the Middlesex County Improvement Authority for the Roosevelt Care Center Facilities for the fiscal year beginning January 1, 2018 and ending December 31, 2018 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program for the Roosevelt Care Center Facilities as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Anthony Raczynski, Secretary
December 14, 2017

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
ADOPTING 2018 BUDGET- GENERAL OPERATIONS**

FISCAL YEAR: From January 1, 2018 to December 31, 2018

WHEREAS, the Annual Budget and Capital Budget/Program for the Middlesex County Improvement Authority for the fiscal year beginning January 1, 2018 and ending December 31, 2018 has been presented for adoption before the governing body of the Middlesex County Improvement Authority at its open public meeting of December 14, 2017; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$7,875,000.00, Total Appropriations, including any Accumulated Deficit, if any, of \$7,875,000.00 and Total Unreserved Retained Earnings utilized of \$-0-; and

WHEREAS, the Annual Budget as introduced reflects Total Capital Appropriations of \$ 208,262.00 and Total Unreserved Retained Earnings planned to be utilized as funding thereof of \$-0-.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Middlesex County Improvement Authority, at an open public meeting held on December 14, 2017 that the Annual Budget and Capital Budget/Program of the Middlesex County Improvement Authority for the fiscal year beginning January 1, 2018 and ending December 31, 2018 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Anthony Raczynski, Secretary
December 14, 2017

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AWARDING CONTRACT FOR FOOD SERVICE AND FOOD SERVICE
MANAGEMENT- ROOSEVELT CARE CENTER FACILITIES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

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

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the 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 and 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 the provision of food service and food service management (the "Services") for the Facilities; and

WHEREAS, the Authority prepared a bid specification package and advertised and issued a bid for the Services; and

WHEREAS, the Authority received bids from Whitsons Culinary Group and Healthcare Services Group, Inc.; and

WHEREAS, the bid of Healthcare Services Group, Inc. was the lowest responsive, responsible bid received for the Services; and

WHEREAS, the Authority would like to award a contract to Healthcare Services Group, Inc. for the Services 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 accepts the bid of Healthcare Services Group, Inc. and awards a contract to Healthcare Services Group, Inc. for the provision of the Services in accordance with the prices bid for a total not to exceed cost for one (1) year term of \$ 4,834,253.00.

2. The Authority authorizes the Chairman or Vice-Chairman to execute a contract with Healthcare Services Group, Inc. in the form contained in the bid specification package. The Secretary shall be authorized to attest to the signature of the Chairman or Vice- Chairman appearing thereon and to affix the seal of the Authority thereto.

3. The Certifying Finance Officer has certified that the funds for the Services are available and can be obtained from the funds of the Authority and will be included in future year's budgets.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Paul Abbey	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING CHANGE ORDER FOR THE INSTALLATION OF NEW
TELEPHONE AND CABLE NETWORK SYSTEM AT THE MCIA OFFICES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on December 14, 2017; and

WHEREAS, the Authority has its administrative offices at 101 Interchange Plaza , Cranbury, New Jersey (the “Administrative Offices”); and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the 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 and 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, pursuant to N.J.S.A. 40A:11-12, the Authority is authorized to purchase any materials, supplies or equipment without publicly advertising for bids, under any contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury (the “State”); and

WHEREAS, purchases made through the State contract are considered procured through a fair and open process in accordance with N.J.S.A. 19:44A-20.4; and

WHEREAS, the Authority requires the provision of certain goods and services at their Administrative Offices for an upgrade to their computer network and telephone services as recommended by the County of Middlesex Office of Information Technology; and

WHEREAS, the services, goods and supplies needed are available from vendors on the State contract; and

WHEREAS, by Resolution #17-177, duly adopted on October 11, 2017, the Authority awarded a contract for the services to various State Contract vendors; and

WHEREAS, a change order to the contracts is required due to the unanticipated condition of the existing Network and Telephone System at the MCIA; and

WHEREAS, the Authority would like to authorize a change order to the contracts with the various State Contract Vendors to provide for the unanticipated work on the existing Network and Telephone System at the MCIA 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 authorizes the following change orders under State contract:

<u>Vendor</u>	<u>Contract #</u>	<u>From</u>	<u>To</u>
Verizon Business	#82583	\$35,544.74	\$16,932.37
Network Services			

NJ Business Systems	#88738	\$22,514.00	\$ 3,218.00
Black Box Network	#80801	\$ 9,035.00	\$20,206.95

For a total project cost Not to Exceed \$71,355.26. (\$64,000.00 from bond proceeds and \$7,355.26 from operating budget) to \$44,618.84 (from bond proceeds)

2. The Certifying Finance Officer has certified that the funds for the change order are available from and can be obtained from the funds of the Authority and will be encumbered at the time of purchase.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(u)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING PROCUREMENT OF EXCESS INSURANCE POLICY FOR
WORKERS COMPENSATION INSURANCE FUND**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, the Authority is required by statute to provide workers compensation insurance for employees of the Authority; and

WHEREAS, pursuant to N.J.S.A. 40A:10-12, the Authority by resolution heretofore adopted, has determined to provide for the payment of workers' compensation by the creation of a workers' compensation fund (the "Fund"); and

WHEREAS, the Authority requires an excess insurance policy for the Fund (the "Insurance"); 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 and 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 insurance producer solicited proposals for the Insurance on behalf of the Authority; and

WHEREAS, the Authority's insurance producer recommends the award of a contract to Midwest Employers Casualty Company through Acrisure, LLC (d/b/a North American Insurance Management) for the Insurance with a self-insured retention of \$500,000; and

WHEREAS, the Authority would like to accept the proposal of Midwest Employers Casualty Company through Acrisure, LLC and authorize the procurement of Insurance from Midwest Employers Casualty Company through Acrisure, LLC 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 authorizes the procurement of the Insurance from Midwest Employers Casualty Company through Acrisure, LLC with a self-insured retention of \$ 500,000 at a cost not to exceed \$86,470.00.

2. The Authority authorizes consideration of the payment of the premium for the policy simultaneously herewith and authorizes placement of the payment on the bill list.

3. The Authority authorizes the Executive Director and/or Chairman to execute any agreements, applications or the like necessary to effectuate the procurement of the Insurance in accordance with this Resolution.
4. The Secretary shall be and is hereby authorized to publish a brief notice of the authorization in accordance with N.J.S.A. 40A:11-5(1)(a)(i).
5. The Certifying Finance Officer has certified that the funds for the insurance coverage are available 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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(v)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING CONTRACT FOR ELEVATOR SERVICES FOR ROOSEVELT CARE
CENTER AT EDISON**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(a), the Authority may provide within the County of Middlesex, public facilities; and

WHEREAS, in furtherance of this provision, the Authority operates the Roosevelt Care Center facility in the Township of Edison (the "Facility"); and

WHEREAS, the Authority requires the provision of hairdressing services (the "Services") for residents of Roosevelt Care Center; 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., subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Pursuant to Local Public Contracts Law, contract for equipment repair service in the nature of an extraordinary unspecifiable service are an exception to the public bidding requirements of the statute; and

WHEREAS, the Authority received a proposal for the provision of the Services from ThyssenKrupp Elevator; and

WHEREAS, ThyssenKrupp Elevator retains the proprietary software for the operation of the elevators at the facility; and

WHEREAS, the Authority would like to accept the proposal of ThyssenKrupp Elevator and award a contract to ThyssenKrupp Elevator for the Services 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 awards a contract for the Services to ThyssenKrupp Elevator for a period of five (5) years at a cost not to exceed \$20,000.00/per year.
2. The Authority approves the agreement with ThyssenKrupp Elevator in substantially the form attached with such changes as shall be approved by the Chairman on advice of counsel.
3. The Authority authorizes the Chairman to execute the agreement with ThyssenKrupp Elevator for the Services in the form so approved.
4. The Certifying Finance Officer has certified that the funds for the contract will be included in the budget in future years.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(w)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING EXTENSION OF CONTRACT FOR FOOD AND BEVERAGE
CONCESSION AT RARITAN LANDING GOLF COURSE**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(h), the Authority is empowered to improve, further and promote the tourist industries and recreational attractiveness of the County through the planning, acquisition, construction, improvement, maintenance and operation of facilities for the entertainment and recreation of the public; and

WHEREAS, in furtherance of this statutory provision, the Authority operates Raritan Landing Golf Course (the "Golf Course"); 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., subject to the "Local Public Contracts Law," N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Authority has contracted for the provision of the food and beverage concession at the Golf Course (the "Services"); and

WHEREAS, the Authority by Resolution duly adopted on January 11, 2017, authorized a contract to Lisa's Kitchen, LLC, for the provision of the Services; and

WHEREAS, the Authority reserved the option of extending the term of the contract for a period of one (1) year; and

WHEREAS, the Authority finds that the Services are being provided in an effective and efficient manner; and

WHEREAS, the Authority would like to exercise the option and extend the term of the contract for the Services to Lisa’s Kitchen, LLC for a period of one (1) year 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 exercises the option and extends the term of the contract with Lisa’s Kitchen, LLC for the Services for 2018 in accordance with the monthly contract rate of \$300.00 a month.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(x)

December 14, 2017

RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE PREPARATION AND EXECUTION OF ALL REQUIRED AMENDMENTS, AS APPLICABLE, TO ALL DOCUMENTATION RELATING TO (1) ITS OUTSTANDING \$47,000,000 MULTIFAMILY HOUSING REVENUE NOTES (NEW BRUNSWICK PERFORMING ARTS CENTER PROJECT - RESIDENTIAL TOWER), SERIES 2017, THE PROCEEDS OF WHICH WERE ORIGINALLY INTENDED TO INTERIM FINANCE A PORTION OF THE RESIDENTIAL RENTAL HOUSING TOWER WITHIN THE PROJECT, AND (2) ITS ORIGINALLY PLANNED ISSUANCE IN 2019 OF ITS NOT EXCEEDING \$47,000,000 MULTIFAMILY HOUSING REVENUE BONDS (NEW BRUNSWICK PERFORMING ARTS CENTER PROJECT - RESIDENTIAL TOWER), SERIES 201_, THE PROCEEDS OF WHICH WERE ORIGINALLY INTENDED TO CURRENTLY REFINANCE THE 2017 NOTES AND PERMANENTLY FINANCE A PORTION OF THE RESIDENTIAL RENTAL HOUSING TOWER, WITH THE PURPOSE OF SUCH AMENDMENTS BEING TO REVISE THE PROJECT DOCUMENTATION TO ENSURE THAT THE PROJECT FINANCING PLAN CAN STILL BE TIMELY IMPLEMENTED IN THE EVENT THERE IS A NEW FEDERAL LAW ENACTED IN THE FUTURE WHICH WOULD OTHERWISE PROHIBIT THE PERMANENT FINANCING OF THE RESIDENTIAL TOWER AS CURRENTLY CONTEMPLATED WITHOUT SUCH AMENDMENTS

WHEREAS, the Middlesex County Improvement Authority (the “Issuer” or “Governmental Lender”) has been duly created by resolution of the Board of Chosen Freeholders of the County of Middlesex, State of New Jersey (the “County”), duly adopted on September 6, 1990, as a public body corporate and politic of the State of New Jersey pursuant to the County Improvement Authorities Law, constituting Chapter 183 of the Laws of 1960 of the State of New Jersey and the acts amendatory thereof and supplemental thereto, N.J.S.A. 40:37A-44 et seq. (the “Act”); and

WHEREAS, pursuant to the terms of the Act, specifically Section 40:37A-54(j) thereof, the Governmental Lender is authorized to provide within the County, for the planning, initiating

and carrying out redevelopment projects for the elimination, and for the prevention of the development or spread of blighted, deteriorated or deteriorating areas and the disposition, for uses in accordance with the objectives of the redevelopment project, of any property or part thereof acquired in the area of such project; and

WHEREAS, the Governmental Lender is authorized by law to finance all or a portion of the costs of such redevelopment projects through the issuance of debt, including without limitation, the Governmental Lender Notes and Governmental Lender Bonds (as each are defined herein); and

WHEREAS, the Governmental Lender is authorized by the Act to make loans to any governmental unit or private entity or person for the planning, design, acquisition, construction, equipping and furnishing of all or any part of any redevelopment projects, for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon as long as such loans are secured by loan and security agreements, mortgages, leases and other instruments, the payment on which shall be sufficient to pay the principal of and interest on any bonds issued by the Governmental Lender for such purposes, and upon such other terms and conditions as the Governmental Lender shall deem reasonable; and

WHEREAS, in May 2017, Cultural Center Redevelopment Associates Urban Renewal LLC and its assigns (the "GLN Borrower"), a New Jersey limited liability company, and an urban renewal entity formed pursuant to and as defined under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., as amended and supplemented (the "Exemption Law"), comprised of two members – New Brunswick Development Corporation ("DEVCO") and Pennrose Properties, LLP ("Pennrose") proposed to undertake a redevelopment project known as the New Brunswick Cultural Center Project (the "Redevelopment Project"), which Redevelopment Project includes (a) the construction of a multi-story building (the "Tower") to be built on the current site of the George Street Playhouse and Crossroads Theater in the City of New Brunswick, in the County of Middlesex, State of New Jersey (the "City") (the "Premises"), which Tower will be comprised of (i) two state-of-the-art theaters and rehearsal space in the lower portion of the Tower, (ii) 207 rental apartments, including an affordable component, in the upper portion of the Tower (the "Residential Project" or "Facility"), and (iii) approximately 30,000 square feet of office space for use by the County, and (b) the construction of an adjacent parking garage including (i) approximately 350 parking spaces and (ii) approximately 4,500 square feet of retail/performance/rehearsal/cultural space to be owned by the Governmental Lender or the New Brunswick Parking Authority, and which may be leased to the American Repertory Ballet; and

WHEREAS, the Residential Project is structured to reserve at least twenty percent (20%) of the housing units contained therein for occupancy by persons whose income is less than fifty percent (50%) of area median gross income, adjusted for a family size, as required by Section 142(d)(1)(B) and Section 142(d)(2)(13)(i) of the Internal Revenue Code of 1986, as amended (the "Code"), in order for such Residential Project, upon satisfaction of other related requirements, to be financed with federally tax-exempt private activity bonds (the "Tax-Exempt PABs"); and

WHEREAS, in June 2017, the GLN Borrower originally applied to the Governmental Lender (1) for the issuance of not to exceed \$47,000,000 of the Governmental Lender's Multifamily Housing Revenue Notes (New Brunswick Performing Arts Center Project), Series 2017 (the "Governmental Lender Notes"), to be issued as Tax-Exempt PABs to interim finance the acquisition, construction and equipping of the Residential Project, and (2) upon completion of construction of the Residential Project, for the issuance of not to exceed \$47,000,000 of the Governmental Lender's Multifamily Housing Revenue Refunding Bonds (New Brunswick

Performing Arts Center Project), Series 20__ (the "Governmental Lender Bonds" or "Bonds"), to be issued as Tax-Exempt PABs to permanently finance the Residential Project, it being understood that the initial borrower for the Governmental Lender Notes would be the GLN Borrower, and that the borrower for the Governmental Lender Bonds would be the hereinafter defined GLB Borrower; and

WHEREAS, in accordance to Section 146 of the Code, New Jersey Executive Order 185 and New Jersey P.L. 1987, c. 393, the Governmental Lender applied to the New Jersey State Treasurer for a not exceeding \$47,000,000 allocation from the "State ceiling" (as defined in Section 146 of the Code) limitation on the volume of federally tax-exempt private activity bonds or notes which may be issued in the State of New Jersey in 2017 (the "Volume Cap"), and which must be granted by the State Treasurer, in his capacity as Allocation Administrator of the Volume Cap (the "Allocation Administrator"), in order for the interest on the Governmental Lender Notes, and the Governmental Lender Bonds which would currently refund such Governmental Lender Notes, to be exempt from the imposition of federal income tax; and

WHEREAS, on June 9, 2017, the New Jersey State Treasurer, as Allocation Administrator, issued to the Governmental Lender a Letter of Allocation for \$47,000,000 of 2017 federally tax-exempt private activity bond issuing authority for the financing of the Residential Project (which allocation was sufficient for the issuance of the Governmental Lender Notes and the then contemplated current refunding of the Governmental Lender Notes in 2019 via the issuance of the Governmental Lender Bonds); and

WHEREAS, on June 14, 2017, the Governmental Lender conducted a public hearing on the application of the GLN Borrower for the issuance of the Governmental Lender Notes and the related financing plan to permanently finance the Residential Project upon completion of its construction, in compliance with the requirements of Section 147(f) of the Code; and

WHEREAS, on July 12, 2017, the Governmental Lender, after due consideration, adopted a resolution (the "Governmental Lender Bond Resolution") authorizing the issuance of the Governmental Lender Notes and the Governmental Lender Bonds, subject to certain preconditions as set forth in such Governmental Lender Bond Resolution; and

WHEREAS, on August 25, 2017, Citibank, N.A. (the "GLN Funding Lender"), the proposed purchaser of the Governmental Lender Notes, agreed to purchase such Governmental Lender Notes, subject to the satisfaction of various preconditions, all of which preconditions were thereafter satisfied by the Governmental Lender and the GLN Borrower; and

WHEREAS, at the GLN Borrower's request, on September 7, 2017, the Governmental Lender issued its Governmental Lender Notes in the aggregate amount of \$47,000,000 to the GLN Funding Lender, pursuant to a GLN Funding Loan Agreement (as hereinafter defined), (a) to lend the proceeds of the Governmental Lender Notes to the GLN Borrower under the GLN Borrower Loan Agreement (as hereinafter defined), pursuant to which such proceeds would be made available for the acquisition, construction and equipping of the Residential Project, (b) to accept from the GLN Borrower in repayment of the loan of the proceeds of the Governmental Lender Notes, the GLN Borrower's Multifamily Note (Series 2017) in the original principal amount of \$47,000,000 (the "GLN Borrower Note"), and (c) to secure the Governmental Lender Notes by the assignment of all of the Governmental Lender's rights (excepting "Unassigned Rights", as defined in the GLN Funding Loan Agreement) under the GLN Loan Documents and the GLN Security Documents (each as hereinafter defined), and the pledge of all receipts to be derived thereunder (except in each case for payments to the Governmental Lender for indemnification and the

Governmental Lender's fees and expenses) to the GLN Funding Lender under the GLN Funding Loan Agreement; and

WHEREAS, in connection with the issuance of the Governmental Lender Notes, there were filed with the Special Bond Counsel to the Governmental Lender for the Governmental Lender Notes, the following instruments (the "GLN Loan Documents"), among other documents, which the Governmental Lender executed and delivered to carry out the transactions described above:

A. GLN Funding Loan Agreement dated as of September 1, 2017 (the "GLN Funding Loan Agreement"), by and between the Governmental Lender and the GLN Funding Lender, providing for the issuance of the Governmental Lender Notes and including the form of the Governmental Lender Notes, dated the date of their execution and delivery, as Exhibit A to the GLN Funding Loan Agreement;

B. GLN Borrower Loan Agreement dated as of September 1, 2017 (the "GLN Borrower Loan Agreement"), between the Governmental Lender and the GLN Borrower;

C. Tax Regulatory Agreement dated as of September 1, 2017 (the "Tax Regulatory Agreement"), among the Governmental Lender, the GLN Borrower and the GLB Borrower;

D. Assignment of Mortgage and Loan Documents dated as of September 1, 2017 (the "GLN Assignment of Mortgage"), from the Governmental Lender to the GLN Funding Lender, and consented to by the GLN Borrower;

E. Assignment of Equity Interests, Pledge and Security Agreement, dated as of September 1, 2017, executed by the two current members of the GLN Borrower (namely, New Brunswick Development Corporation and Pennrose Properties, LLP);

F. Assignment and Subordination of Developer Fees, Pledge and Security Agreement, executed by Pennrose Properties, LLP, in its capacity as the Residential Project developer, and the GLN Borrower; and

G. Endorsement without recourse of the GLN Borrower Note from the Governmental Lender to the GLN Funding Lender; and

WHEREAS, the GLN Borrower executed and delivered to the Governmental Lender as additional collateral security for the obligations of the GLN Borrower under the GLN Borrower Note and the other GLN Loan Documents, the following instruments (the "GLN Security Documents"), the forms of which were filed with the Special Bond Counsel to the Governmental Lender for the Governmental Lender Notes:

A. Multifamily Leasehold Mortgage, Assignment of Rents, Security Agreement and Fixture Filing together with Ground Lessor (Fee Owner) Subordination and Joinder dated as of September 1, 2017 (the "GLN Mortgage"), from the GLN Borrower and the GLB Borrower, and joined by the City, to the Governmental Lender, which GLN Mortgage was on September 7, 2017 recorded in the land records of the Office of the County Clerk in Middlesex County, State of New Jersey and which encumbers the Premises; and

B. UCC-1 Financing Statements (collectively, the "GLN Financing Statements"), granted by the GLN Borrower, the GLB Borrower and the City, as debtors, to the Governmental Lender, as secured party, to perfect security interests in various forms of tangible and intangible personal property collateral intended to be created pursuant to certain of the GLN Loan Documents and the GLN Security Documents; and

WHEREAS, immediately following the delivery of the GLN Security Documents to the Governmental Lender, the Governmental Lender assigned all its right, title and interest in the GLN

Security Documents to the GLN Funding Lender pursuant to the GLN Funding Loan Agreement and the GLN Assignment of Mortgage; and

WHEREAS, in connection with the issuance of the Governmental Lender Notes and the loan of the proceeds thereof to the GLN Borrower, the GLN Borrower and the GLB Borrower executed and delivered the Tax Regulatory Agreement to the Governmental Lender, which on such date was recorded in the land records of the Office of the County Clerk in Middlesex County, State of New Jersey and encumbered the Residential Project; and

WHEREAS, the Governmental Lender Notes were issued by the Governmental Lender, and the Governmental Lender Bonds would in the future be issued by the Governmental Lender, pursuant to the Governmental Lender Bond Resolution, as Tax-Exempt PABs, and the interest on the Governmental Lender Notes was, and was expected for the Governmental Lender Bonds to also be, excluded from gross income of the owners thereof for federal income tax purposes pursuant to the Code; and

WHEREAS, at the time of issuance of the Governmental Lender Notes, the GLN Borrower represented to the Governmental Lender that the Residential Project qualified for low income housing tax credits as a matter of legal right, and was expected to receive an allocation of these credits, and that portions of the Residential Project were to be occupied by persons or families of low or moderate income pursuant to the restrictions set forth in the Tax Regulatory Agreement, which GLN Borrower representations the GLN Borrower understood and acknowledged that the Governmental Lender relied on in determining to issue the Governmental Lender Notes and the Governmental Lender Bonds as Tax-Exempt PABs; and

WHEREAS, as a precondition of the Government Lender Notes, the Governmental Lender required, as a condition to the issuance of the Governmental Lender Notes and Governmental Lender Bonds, that (i) the GLN Borrower and GLB Borrower each agreed to the restrictions running with the Premises set forth in the Tax Regulatory Agreement, (ii) the GLN Borrower and GLB Borrower each consented to be regulated by the Governmental Lender to preserve the tax-exempt status of interest on the Governmental Lender Notes and Governmental Lender Bonds as Tax-Exempt PABs; and

WHEREAS, simultaneous with the issuance of the Governmental Lender Notes, the Governmental Lender, Citibank, N.A., in its capacity as the initial purchaser of the Governmental Lender Bonds (the “GLB Purchaser”), and NBCCR Urban Renewal LLC, a New Jersey limited liability company, and an urban renewal entity formed pursuant to and as defined under the Exemption Law, and comprised of a sole member – Pennrose GP, LLC (the “GLB Borrower”), entered into a Forward Purchase Agreement, dated as of September 1, 2017 (the “GLB Forward Bond Purchase Agreement”), relating to the issuance of the Governmental Lender Bonds as Tax-Exempt PABs to currently refund the Governmental Lender Notes upon completion of construction of the Residential Project; and

WHEREAS, at the time of issuance of the Governmental Lender Notes, it was anticipated that by July 28, 2019, the GLN Borrower would complete construction of the Residential Project to the satisfaction of the GLN Funding Lender, the hereinafter defined GLB Lender and other necessary parties, which construction completion, in addition to the Residential Project satisfying certain rent up targets, was a precondition to the issuance by the Governmental Lender of the Governmental Lender Bonds as Tax-Exempt PABs to currently refund the Governmental Lender Notes, in satisfaction of the GLB Forward Bond Purchase Agreement; and

WHEREAS, at the time of issuance of the Governmental Lender Notes, it was anticipated that upon the completion of construction of the Residential Project and the satisfaction of all rent

up milestones, the GLB Borrower would then request the Governmental Lender and the GLB Purchaser to proceed with the issuance of the Governmental Lender Bonds in accordance with the GLB Forward Bond Purchase Agreement, to currently refund the Governmental Lender Notes; and

WHEREAS, in connection with the issuance of the Governmental Lender Bonds, it was anticipated that the Governmental Lender and Amboy Bank (the “Trustee”) would enter into a Trust Indenture (the “Indenture”) relating to the issuance of the Governmental Lender Bonds, dated as of the first day of the month in which the Governmental Lender Bonds would be issued (the “Closing Date”) in order to secure the payment of the principal of, redemption premium, if any, and interest on the Governmental Lender Bonds and the observance of the covenants and conditions therein contained; and

WHEREAS, further in connection with issuance of the Governmental Lender Bonds, it was anticipated that the Governmental Lender, the Trustee, the GLB Borrower and SunTrust Bank (the “GLB Lender”), would enter into a GLB Financing Agreement (the “GLB Financing Agreement”), dated as of the first day of the month in which the Closing Date occurs, as such date could from time to time be amended, pursuant to which the Governmental Lender would therein agree to use the proceeds of the Governmental Lender Bonds to make a Tax-Exempt PAB mortgage loan (the “GLB Mortgage Loan”) to the GLB Borrower to currently refund the Governmental Lender Notes; and

WHEREAS, pursuant to the GLB Financing Agreement, it was anticipated that the GLB Borrower would agree to use the proceeds of the GLB Mortgage Loan to permanently finance the Residential Project, with disbursements of the proceeds of the GLB Mortgage Loan to be made pursuant to the provisions of the Indenture and the GLB Financing Agreement; and

WHEREAS, the GLB Borrower’s repayment obligations in respect of the GLB Mortgage Loan would be evidenced by (i) a Multifamily Note dated the Closing Date (the “GLB Mortgage Note”) to be delivered to the Governmental Lender, which GLB Mortgage Note would be endorsed by the Governmental Lender to the GLB Lender and (ii) a Multifamily Loan and Security Agreement (Non-Recourse) dated the Closing Date (the “GLB Loan Agreement” or “Loan Agreement”) by and between the GLB Borrower and the Governmental Lender, which would be assigned by the Governmental Lender to the GLB Lender; and

WHEREAS, to secure the Borrower’s obligations under the GLB Mortgage Note, it was anticipated that the GLB Borrower would execute and deliver to the Governmental Lender a mortgage on the Residential Project (the “GLB Mortgage”), which would be assigned to the GLB Lender, and which GLB Mortgage would be recorded in the land records of the Office of the County Clerk in Middlesex County, State of New Jersey and would encumber the Residential Project; and

WHEREAS, pursuant to the terms of the Indenture, it was anticipated that Fannie Mae, as trustee under the Fannie Mae Trust Indenture (as defined in the GLB Financing Agreement), would provide to the GLB Lender the Pass-Through Certificate (as defined in the GLB Financing Agreement) for sale to the Trustee for an amount equal to the Pass-Through Certificate Purchase Price (as defined in the GLB Financing Agreement); and

WHEREAS, the Pass-Through Certificate upon issuance by Fannie Mae, would be held in trust by the Trustee and pledged under the terms of the Indenture to secure payment of the Governmental Lender Bonds; and

WHEREAS, it was anticipated that prior to the issuance of the Governmental Lender Bonds, the Governmental Lender would conduct a public hearing for the issuance of the

Governmental Lender Bonds, in compliance with the requirements of Section 147(f) of the Code (the “Second TEFRA Hearing”); and

WHEREAS, prior to the issuance of the Governmental Lender Bonds, the Governmental Lender would determine that all things necessary to make the Governmental Lender Bonds, when executed by the Governmental Lender and authenticated by the Trustee and issued as provided in the Indenture, the valid, binding and legal obligations of the Governmental Lender according to the import thereof, and to constitute the Indenture a valid assignment and pledge of the Revenues (as defined in the Indenture) and other amounts pledged to the payment of the principal of and interest on the Governmental Lender Bonds and a valid and binding agreement for the uses and purposes therein set forth, would have been duly taken, and the creation, execution and delivery of the Indenture and the creation, execution and delivery of the Governmental Lender Bonds, subject to the terms thereof, would have in all respects have been duly authorized; and

WHEREAS, subsequent to the issuance of the Governmental Lender Notes and the structuring of the planned issuance in 2019 of the Governmental Lender Bonds, both as Tax-Exempt PABs, President Trump in early November 2017 proposed the Tax Cuts and Jobs Act (the “Tax Reform Act”) to both Houses of Congress for their consideration, which Tax Reform Act as proposed by President Trump would, among other things, eliminate the issuance of all Tax-Exempt PABs (such as the Governmental Lender Bonds as currently contemplated) effective January 1, 2018; and

WHEREAS, on November 16, 2017, the United States House of Representatives passed a version of the Tax Reform Act which, among other things, preserves the elimination of the issuance of all Tax-Exempt PABs (such as the Governmental Lender Bonds as currently contemplated) effective January 1, 2018; and

WHEREAS, on December 2, 2017, the United States Senate passed a different version of the Tax Reform Act which, among other things, does *not* eliminate the issuance of all Tax-Exempt PABs (such as the Governmental Lender Bonds as currently contemplated) effective January 1, 2018; and

WHEREAS, both Houses of Congress are now undertaking a reconciliation process of the two competing versions of the Tax Reform Act, with the possibility that such reconciliation will be reached, both Houses will approve such reconciliation, and the President will sign the reconciliation into law effective January 1, 2018; and

WHEREAS, the Governmental Lender cannot predict whether any such reconciliation of the Tax Reform Act will be reached, approved by Congress, or signed into law by the President; and

WHEREAS, given the current possibility that there could be a form of Tax Reform Act approved by Congress and signed into law by President Trump by January 1, 2018 which would eliminate the issuance of all Tax-Exempt PABs (such as the Governmental Lender Bonds as currently contemplated) effective January 1, 2018, and which would therefore block the Governmental Lender’s current permanent financing plan for the Residential Tower, the Governmental Lender and the GLN Funding Lender have reviewed the overall Residential Tower financing plan, and have determined that there is a way to restructure such financing plan to preserve the Governmental Lender’s ability to permanently finance the Residential Tower with Governmental Lender Bonds issued as Tax-Exempt PABs (the “Revised Residential Tower Financing Plan”), regardless of whether there would a form of Tax Reform Act signed into law at 2017 year-end which eliminates the issuance of all Tax-Exempt PABs (such as the Governmental Lender Bonds as currently contemplated) effective January 1, 2018; and

WHEREAS, assuming the implementation and undertaking of the Revised Residential Tower Financing Plan, there will no longer be any requirement under the Code for the Governmental Lender to advertise and conduct the Second TEFRA Hearing; and

WHEREAS, the Governmental Lender now desires to approve all actions necessary to implement and undertake the Revised Residential Tower Financing Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AS FOLLOWS:

1. The implementation and undertaking of the Revised Residential Tower Financing Plan is hereby approved.

2. All current documentation relating to the Governmental Lender Notes and Governmental Lender Bonds, including, but not limited to, all defined documents referenced in the Whereas Clauses to this Resolution, shall be amended, as necessary and applicable (collectively, the “Amendatory Financing Documents”), to implement and undertake the Revised Residential Tower Financing Plan.

3. The Chairman or the Vice Chairman of the Governmental Lender is hereby authorized and directed to execute the applicable Amendatory Financing Documents by his manual or facsimile signature. The Secretary of the Governmental Lender is authorized and directed to affix the seal, or a facsimile thereof, of the Governmental Lender on the Amendatory Financing Documents and to attest the same, by his manual or facsimile signature, and the officers of the Governmental Lender are hereby authorized and directed to deliver such Amendatory Financing Documents to the other parties thereto, as applicable.

4. The officers of the Governmental Lender are hereby authorized and directed to execute, deliver and file all other certificates, documents and instruments, including without limitation, a Non-Arbitrage Certificate, including any exhibits thereto, and Internal Revenue Service Form 8038 containing information with respect to the Governmental Lender Notes, and to take all such further action, including the execution and delivery of such other certificates, documents and instruments as they, or any one of them, may consider necessary or desirable in connection with the implementation and undertaking of the Revised Residential Tower Financing Plan.

5. Any authorization to the officers of the Governmental Lender to execute a document shall include authorization for (a) the Secretary to affix the seal of the Governmental Lender to such document and attest such seal, and (b) any officer to provide for the recording or filing of such document where appropriate and its delivery to the other parties thereto.

6. All costs and expenses in connection with the implementation and undertaking of the Revised Residential Tower Financing Plan, including but not limited to, the fees and expenses of the Governmental Lender’s Special Bond Counsel, general counsel and Financial Advisor, shall be paid by a member of the GLN Borrower and/or the GLN Funding Lender, regardless of whether the Revised Residential Tower Financing Plan is ever actually implemented (it being assumed that such plan will not be implemented or undertaken if there is no form of Tax Reform Act enacted into law which eliminates the issuance of all Tax-Exempt PABs (such as the Governmental Lender Bonds as currently contemplated) effective January 1, 2018).

7. All other acts of the officers of the Governmental Lender in conformity with the purposes and intent of this resolution and in furtherance of the implementation and undertaking of the Revised Residential Tower Financing Plan are hereby approved and confirmed.

8. This resolution shall take effect immediately upon its adoption.

Dated: December 14, 2017

CERTIFICATE

I, **ANTHONY RACZYNSKI**, Secretary of the Middlesex County Improvement Authority (the "Authority"), **DO HEREBY CERTIFY** that the above resolution entitled "RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE PREPARATION AND EXECUTION OF ALL REQUIRED AMENDMENTS, AS APPLICABLE, TO ALL DOCUMENTATION RELATING TO (1) ITS OUTSTANDING \$47,000,000 MULTIFAMILY HOUSING REVENUE NOTES (NEW BRUNSWICK PERFORMING ARTS CENTER PROJECT - RESIDENTIAL TOWER), SERIES 2017, THE PROCEEDS OF WHICH WERE ORIGINALLY INTENDED TO INTERIM FINANCE A PORTION OF THE RESIDENTIAL RENTAL HOUSING TOWER WITHIN THE PROJECT, AND (2) ITS ORIGINALLY PLANNED ISSUANCE IN 2019 OF ITS NOT EXCEEDING \$47,000,000 MULTIFAMILY HOUSING REVENUE BONDS (NEW BRUNSWICK PERFORMING ARTS CENTER PROJECT - RESIDENTIAL TOWER), SERIES 201_, THE PROCEEDS OF WHICH WERE ORIGINALLY INTENDED TO CURRENTLY REFINANCE THE 2017 NOTES AND PERMANENTLY FINANCE A PORTION OF THE RESIDENTIAL RENTAL HOUSING TOWER, WITH THE PURPOSE OF SUCH AMENDMENTS BEING TO REVISE THE PROJECT DOCUMENTATION TO ENSURE THAT THE PROJECT FINANCING PLAN CAN STILL BE TIMELY IMPLEMENTED IN THE EVENT THERE IS A NEW FEDERAL LAW ENACTED IN THE FUTURE WHICH WOULD OTHERWISE PROHIBIT THE PERMANENT FINANCING OF THE RESIDENTIAL TOWER AS CURRENTLY CONTEMPLATED WITHOUT SUCH AMENDMENTS" (the "Resolution") was duly adopted by the Authority at a regular meeting held on December 14, 2017 duly called and held in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout, and that said Resolution is a true and correct copy thereof and of the whole appearing in the books and records of the Authority as of the date hereof.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the Authority this __ day of _____, 2017.

(SEAL)

ANTHONY RACZYNSKI,
Secretary

17-

Agenda 8(y)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING EXTENSION OF CONTRACT FOR FOOD AND BEVERAGE
CONCESSION AT THE MEADOWS AT MIDDLESEX GOLF COURSE**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(h), the Authority is empowered to improve, further and promote the tourist industries and recreational attractiveness of the County through the planning, acquisition, construction, improvement, maintenance and operation of facilities for the entertainment and recreation of the public; and

WHEREAS, in furtherance of this statutory provision, the Authority operates The Meadows at Middlesex Golf Course (the "Golf Course"); 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., subject to the "Local Public Contracts Law," N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Authority has contracted for the provision of the food and beverage concession at the Golf Course (the "Services"); and

WHEREAS, the Authority by Resolution #17-65 duly adopted on March 8, 2017, authorized a contract to VS Services LLP, d/b/a/ Caddyshack for the provision of the Services; and

WHEREAS, the Authority reserved the option of extending the term of the contract for a period of one (1) year; and

WHEREAS, the Authority finds that the Services are being provided in an effective and efficient manner; and

WHEREAS, the Authority would like to exercise the option and extend the term of the contract for the Services to VS Services LLP, d/b/a/ Caddyshack for a period of one (1) year 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 exercises the option and extends the term of the contract with VS Services LLP, d/b/a/ Caddyshack for the Services for 2018 in accordance with the monthly contract fee of \$2,000.00 a month.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(z)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING INCREASE IN AMOUNT OF PHARMACY SERVICES CONTRACT
FOR ROOSEVELT CARE CENTER FACILITIES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(a), the Authority may provide within the County of Middlesex, public facilities; and

WHEREAS, in furtherance of this provision, the Authority operates Roosevelt Care Center at Edison, a long term care facility located in the Township of Edison, and Roosevelt Care

Center at Old Bridge, a long term care facility located in the Township of Old Bridge (collectively, "Roosevelt Care Center"); and

WHEREAS, the Authority requires the provision of pharmacy services (the "Services") for Roosevelt Care Center; and

WHEREAS, by Resolution 17-137 duly adopted by the Authority on July 12, 2017, the Authority authorized a professional service contract to Geriscript Pharmacy, LLC for Pharmacy Services for a cost not to exceed \$110,000.00; and

WHEREAS, the Authority would like to authorize an increase in the authorized amount of the contract and the certification of funds for the contract 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 an increase in the contract amount and the certification of funds for the contract with vendor Geriscript Pharmacy, LLC for Pharmacy Services by an amount not to exceed \$78,000.00.

2. The Certifying Finance Officer is hereby authorized to increase the certification of funds for the purchases from Geriscript Pharmacy, LLC for Pharmacy Services in accordance with this Resolution.

3. The Secretary is authorized to publish a brief notice of the increased contract amount pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer has certified that the funds for the increase in the contract amount are available from and can be obtained from the funds of the Authority and will be encumbered at the time of purchase.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(aa)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING INCREASE IN AMOUNT OF GENERAL COUNSEL PROFESSIONAL
SERVICES CONTRACT**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) any contract, purchase or agreement, the subject matter of which consists of professional services is an exception to the public bidding requirements of the Local Public Contracts Law; and

WHEREAS, it is necessary for the Authority to have legal counsel services (the "Services") for the 2017 calendar year; and

WHEREAS, the Services are an exception to the public bidding requirements of the Local Public Contracts Law as a professional service; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the Authority undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, the Authority awarded a professional services contract to Rainone Coughlin Minchello, LLC for calendar year 2017 in an amount not to exceed \$150,000.00; and

WHEREAS, by Resolution 17-139 duly adopted July 12, 2017 the Authority increased the not to exceed amount to \$250,000.00; and

WHEREAS, the Authority would like to authorize an additional increase in the authorized amount of the contract and the certification of funds for the contract through the end of calendar year 2017 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 an increase in the contract amount and the certification of funds for the General Counsel Professional Services Contract with Rainone Coughlin Minchello, LLC for General Counsel Services by an amount not to exceed \$ 75,000.00.

2. The Certifying Finance Officer is hereby authorized to increase the certification of funds for General Counsel Services in accordance with this Resolution.

3. The Secretary is authorized to publish a brief notice of the increased contract amount pursuant to N.J.S.A. 40A:11-5(l)(a)(i).

4. The Certifying Finance Officer of the Authority has certified that the funds for the Services are available in the budget.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(bb)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING RE-APPOINTMENT OF
EXECUTIVE DIRECTOR**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; 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 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:11-5(l)(b), the doing of any work by employees of the Authority is an exception to the public bidding requirements of the Local Public Contracts Law; and

WHEREAS, the Authority on October 13, 2016, by Resolution 16-167 awarded a three year contract to H. James Polos to serve as the Executive Director of the Authority; and

WHEREAS, the renewal of each year of the three (3) year term is subject to an annual review by the Authority and the annual re-appointment is subject to the approval of the Authority and affirmation by the Freeholders ; and

WHEREAS, the Authority would like to re-appoint H. James Polos to serve as Executive Director of the Authority; and

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

1. The Authority hereby re-appoints H. James Polos to serve as Executive Director of the Authority pursuant to the October 14, 2016 Employment Agreement and the terms contained therein.

2. The Certifying Finance Officer has certified that the funds for the Agreement are available from and can be obtained from the Authority and shall be included in the budget of the Authority for the term of the Agreement.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(cc)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
APPROVING AFFILIATION AGREEMENT WITH JFK JOHNSON
REHABILITATION INSTITUTE FOR MENTORSHIP PROGRAM AT ROOSEVELT
CARE CENTER FACILITIES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(a), the Authority may provide within the County of Middlesex public facilities; and

WHEREAS, in furtherance of this statutory provision, the Authority operates the long term care facilities Roosevelt Care Center at Edison and Roosevelt Care Center at Old Bridge (collectively, "Roosevelt Care Center"); 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., subject to the "Local Public Contracts Law," N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, JFK Johnson Rehabilitation Institute has requested the Authority to participate in a mentorship program for their students (the "Program"); and

WHEREAS, the Authority would like to approve the Program with JFK Johnson Rehabilitation Institute and approve an agreement with JFK Johnson Rehabilitation Institute for the Program at 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 hereby approves the Program with JFK Johnson Rehabilitation Institute.
2. The Authority approves the affiliation agreement for the Program with JFK Johnson Rehabilitation Institute with such changes as shall be approved by the Chairman on advice of counsel.
3. The Authority authorizes the Chairman or Vice-Chairman to execute the affiliation agreement in the form so approved and the Secretary to attest to the signature of the Chairman or Vice-Chairman appearing thereon and to affix the seal of the Authority thereto.
4. The Authority hereby authorizes the Licensed Administrators of the Roosevelt Care Center facilities to take all acts reasonable and necessary in connection with implementation and conduct of the Program.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(dd)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN PAYROLL ACCOUNT
ACKNOWLEDGEMENT FOR AFLAC**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, the Authority is desirous of offering its employees the ability to purchase a secondary health insurance policy, at their own cost and expense over and above the traditional health insurance given by the Authority to its employees; and

WHEREAS, the Authority's Director of Human Resources has met with representatives from AFLAC and discussed the various plans which AFLAC offers; and

WHEREAS, interest was expressed and numerous requests were made for information regarding the AFLAC program by employees of the Authority; and

WHEREAS, after discussions with the Executive Director it was determined that the employees of the Authority would be offered this secondary insurance, to be paid at their own expense, from AFLAC; and

WHEREAS, the Executive Director is hereby authorized to execute a Payroll Account Acknowledgement authorizing employee deductions prior to the start of the enrollment process;

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

1. The Authority hereby authorizes the Executive Director to execute the Payroll Account Acknowledgement for AFLAC.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING TWO MONTH EXTENSION OF MEDICAL EQUIPMENT LEASE
AGREEMENT FOR ROOSEVELT CARE CENTER FACILITIES**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54(a), the Authority may provide within the County of Middlesex, public facilities; and

WHEREAS, in furtherance of this provision, the Authority operates Roosevelt Care Center at Edison, a long term care facility located in the Township of Edison, and operates Roosevelt Care Center at Old Bridge, a long term care facility located in the Township of Old Bridge (collectively, "Roosevelt Care Center"); and

WHEREAS, the Authority requires the provision of certain clinical service and therapeutic modality equipment leasing services (the "Services") for Roosevelt Care Center; 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., subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the provision of the Services is an exception to the public bidding requirements of the Local Public Contracts Law as an extraordinary unspicifiable expense; and

WHEREAS, by Resolution #12-141 duly adopted by the Authority on October 10, 2012, the Authority awarded a contract for the Lease of Medical Equipment Services to Accelerated Care Plus Corp. for a term through October 31, 2017; and

WHEREAS, by Resolution duly adopted on October 11, 2017 a new lease agreement was authorized for Medical Equipment Services to Accelerated Care Plus Corp. for a term of one year from January 1, 2018 through December 31, 2018; and

WHEREAS, the Authority would like to authorize a two month extension of the 2012 contract with Accelerated Care Plus Corp. for the period of November 1, 2017 to December 31, 2017 prior to start of the new Lease Agreement on January 1, 2018, 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 authorizes a two month extension of the contract with Accelerated Care Plus Corp. for the provision of the Services at a cost not to exceed \$4,500.00.

2. The Certifying Finance Officer has certified that the funds for the extension of the contract with Meridian are available and can be obtained from the funds of the Authority,

3. The Secretary is hereby authorized to publish a brief notice of the extension in accordance with N.J.S.A. 40A:11-5(1)(a)(i).

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(ff)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AMENDING 2018 BUDGET – GOLF COURSE OPERATIONS**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the “Authority”) was held on December 14, 2017; and

WHEREAS, by Resolution 17-___ duly adopted by the Authority on December 14, 2017, the Authority adopted the budget for Golf Course Operations for the year ending December 31, 2018; and

WHEREAS, the Authority would like to amend the 2018 capital budget for Golf Course Operations and the funding thereof for the 2018 year; 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 Golf Course Operations for the year ending December 31, 2018 as set forth on Schedules A attached hereto and made a part hereof.
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>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(gg)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING ENGINEERING AND LEGAL SERVICES TO NEGOTIATE WITH
THE MIDDLESEX COUNTY UTILITY AUTHORITY AND J&J RESOURCE
RECOVERY, LLC FOR A PUBLIC/PRIVATE PARTNERSHIP FOR REDUCING
OPERATING COSTS OF THE MCUA SLUDGE PROCESSING FACILITY AND
ENHANCEMENTS TO THE MIDDLESEX COUNTY RECYCLING PROGRAM**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, the Middlesex County Board of Chosen Freeholders (the "County") on June 2, 1994 adopted Amendments 1994-1, 1994-2 and 1994-3 to the County's Solid Waste Management Plan (the "1994 Amendments") which 1994 Amendments, among other things, reassigned the implementation responsibilities for the County Recycling Program from the County's Department of Solid Waste Management to the Authority; and

WHEREAS, by Resolution 15-180 of the Authority heretofore duly adopted on November 12, 2015, the Authority authorized an amendment (the "Amendment") to a shared services agreement with the Middlesex County Utilities Authority ("MCUA") concerning the review of a program for reducing the operating costs of the MCUA sludge processing facilities and to enhance the Middlesex County recycling program (the "Program"); and

WHEREAS, the Program will involve the operation and management of a wastewater treatment facility; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the 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 and 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 by Resolution 16-81 duly adopted by the Authority on April 13, 2016, authorized the undertaking of a competitive contracting process pursuant to N.J.S.A. 40A:11-4.1 et seq. for the procurement and hiring of an entity for the purpose of operation and management of a wastewater treatment system; and

WHEREAS the Authority by Resolution duly adopted by the Authority on December 14, 2016 authorized CME Associates to manage the competitive contracting process and collect responses with general counsel in accordance with the New Jersey Wastewater Treatment Public Private Contracting Act, NJSA 58:27-19 et seq.; and

WHEREAS, the intention of this project is to achieve a savings in sludge processing costs at the MCUA, increase recycling in Middlesex County as may be associated with the proposed sludge process and the possible inclusion of other waste types, which is intended to save landfill space, in order to prolong the life the landfills and to generate a revenue stream to the MCIA to help fund its programs; and

WHEREAS, the Authority would like to further authorize CME Associates and Rainone Coughlin Minchello, LLC to proceed on behalf of the MCIA to negotiate a contract with the Middlesex County Utility Authority (the "MCUA") and J&J Resource Recovery, LLC for a public/private partnership for reducing the operating cost of the MCUA sludge processing facilities and enhancements to the Middlesex County Recycling Program 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 authorizes CME Associates and Rainone Coughlin Minchello, LLC to proceed on behalf of the MCIA to negotiate a contract with the MCUA and J&J Resource Recovery, LLC for a public/private partnership for reducing the operating costs of the MCUA sludge processing facilities and enhancements to the Middlesex County Recycling program.
2. Said negotiations shall be contingent upon and subject to available funding appropriations for the undertaking of said project in the coming year.

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

17-

Agenda 8(hh)

**RESOLUTION OF THE
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY DECLARING F&B FINE
CATERING IN DEFAULT ON CONTRACT FOR FOOD AND BEVERAGE
CONCESSION AT TAMARACK GOLF COURSE**

WHEREAS, a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on December 14, 2017; and

WHEREAS, the Authority operates the Tamarack Golf Course (the "Course"); and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the 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 and 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 a golf course food and beverage concession (the "Services") for the Course; and

WHEREAS, the Authority prepared and issued a bid specification package #16-09R and publicly advertised for bids for the Services; and

WHEREAS, on July 13, 2016 the Authority by Resolution # 16-129 awarded a contract to F&B Fine Catering for the golf course food and beverage concession at Tamarack Golf Course ; and

WHEREAS, F&B Fine Catering has failed to pay their rent for July 1, 2017 and August 1, 2017 and the concession is now in default of their contract; and

WHEREAS, due to the failure of F&B Fine Catering to pay delinquent rents owed to the MCIA, they shall forfeit the remainder of their contract with the MCIA which was scheduled to expire December 31, 2018; and

WHEREAS, the Authority would like to re-bid for the Services; in accordance with N.J.S.A. 40A:11 4(b)(2).

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

1. The Authority hereby declares F&B Fine Catering in default for failure to pay their rent in accordance with the Bid Specifications #16-09R.
2. The Authority may hereby authorize a re-bid for the golf course food and beverage concession at Tamarack Golf Course due to the default on the contract by F&B Fine Catering

<u>Recorded Vote:</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			

11. PAYMENT OF VOUCHERS

Upon motion duly made by Mr. Abbey, and seconded by Mr. Raczynski the members adopted the following resolution:

**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 December 14, 2017, that payments as itemized on the attached bill list, attached hereto and made a part hereof, in the total amount of \$3,624,871.02 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 \$3,624,871.02 are correct and just and payment should be approved.

/s/ Lory L. Cattano
Lory L. Cattano, Chief Financial Officer

/s/ Leonard J. Roseman
Leonard J. Roseman, Chairman

Resolution _____:	<u>Recorded Vote</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
	Leonard J. Roseman	X			
	Anthony Raczynski	X			
	Paul Abbey	X			

12. PUBLIC SESSION

There was no one from the public who wished to be heard.

13. ADJOURNMENT AND DATE FOR NEXT MEETING

There being no further business, upon motion duly made by Mr. Raczynski, seconded by Mr. Abbey and unanimously approved by all members present, the meeting was adjourned at 6:35 p.m. The next regularly scheduled meeting is January 9, 2018 at 6 p.m.

Respectfully submitted,

Dated: December 14 , 2017

Carol A Berlen, Esq.

