# MINUTES OF A REGULAR MEETING OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY HELD ON WEDNESDAY, JANUARY 11, 2017 AT 6:00 P.M. AT THE OFFICES OF THE AUTHORITY 101 INTERCHANGE PLAZA, CRANBURY (SOUTH BRUNSWICK), NEW JERSEY

#### Present were:

Leonard J. Roseman, Chairman Robert J. Mantz, Vice- Chairman Anthony Raczynski, Secretary Paul Abbey Richard Zangara (entry as noted)

#### Also present were:

H. James Polos, Lory Cattano, Ed Windas, Middlesex County Improvement Authority Daria Anne Venezia, Esq., Venezia & Nolan, P.C., Authority General Counsel Freeholder Deputy Director Carol Bellante, Freeholder Liaison

After the salute to the flag, the Chairman called the meeting to order. Ms. Venezia read the following statement: "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."

The first item on the agenda was correspondence. The Chairman stated that the correspondence, reports and press releases are included in the member packages.

Upon motion duly made by Robert J. Mantz, seconded by Anthony Raczynski and unanimously approved by the members present, the Financial Report was received and filed with the minutes.

Mr. Windas presented the Recycling Report. 1,985 tons of material were recycled from the 15 towns participating in the program. 20 new units were added to the program making the total units serviced 92,727. The total tonnage for the year was 21,300, 320 more tons than the prior year. The increase is due mainly to the participation of the Borough of Milltown which started as of September 1<sup>st</sup>. Milltown generates approximately 75 tons of recyclables per month. Under the yard waste program, 3,974 tons of leaves and brush were collected last month. Most of the material was leaves. This is 330 tons more than last year. The book recycling program has been successful with 21 tons collected from the 6 towns participating. The Chairman thanked Mr. Windas for preparing a report on the costs municipalities pay for recycling services. He stated that there may be some opportunities. Mr. Polos stated that he had reached out to South Brunswick about entering the program. Mr. Windas reported that South Brunswick decided to award a contract to Midco.

Upon motion duly made by Anthony Raczynski, seconded by Robert J. Mantz and unanimously approved by the members present, the Golf Course report was received and filed. Upon motion duly made by Robert J. Mantz, seconded by Anthony Raczynski and unanimously approved by the members present, the Financing Report was received and filed. Upon motion duly made by Robert J. Mantz, seconded by Anthony Raczynski and unanimously approved by the members present, the Economic Development Report was received and filed.

There being no items to report under Old Business, the meeting moved to a discussion of the Resolutions. Ms. Venezia stated that Resolution (a) authorizes the Executive Director to make decisions concerning hiring, firing and other actions with respect to Authority employees. Mr. Abbey requested that the members be provided with a monthly report for any action taken in the prior month. The Chairman stated that the purpose of the resolution was to avoid any unnecessary delays. Resolution (b) authorizes the award of a contract for the food and beverage concession at Raritan Landing Golf Course to Lisa's Kitchen. Three vendors were contacted to provide a proposal. Lisa's Kitchen was the only vendor interested in providing the services and proposed a price of \$300.00 per month. Resolution (c) authorizes a contract with Albanir Consulting for administrative consulting services at the rate of \$7,500.00 per month. Resolution (d) authorizes the exercise of an option to extend the contract for cleaning services with Alvin Betancourt dba Pure Cleaning Services for a one year period. Ms. Venezia reported that the contract was bid last year and the Authority reserved the option of extending the term for two 1 year periods. The amount per year is \$25,932.00.

Resolution (e) authorizes amendments to the State approved vendor list to amend contract term dates. Resolution (f) authorizes purchases from Pitney Bowes, a State approved vendor.

Concerning Roosevelt Care Center, Resolution (g) authorizes membership in the Health Care Association of New Jersey. The administrators of the Roosevelt Care Center facilities recommend continued membership in the Association due to educational and other benefits. The cost for the year is \$25,470.00 for both facilities. Resolution (h) authorizes an increase in the certification of funds for State approved vendor Verizon. An additional \$15,000.00 is required. Resolution (i) authorizes a contract for physician services at Roosevelt Care Center at Edison. The contract will be with Raritan Bay Cardiology. Mr. Abbey commented that the company has been at the facility for many years and provides good service.

Ms. Venezia explained that the Authority has previously approved a program for the wastewater treatment system and authorized a competitive procurement process for the services. The Authority might determine to use the New Jersey Wastewater Treatment Public Private Contracting Act as a procurement means. Resolution (j) authorizes the use of this process if it is determined that it should be implemented.

Richard Zangara entered the meeting.

Ms. Venezia continued with an explanation of Resolution (k). The resolution is a summary of the fair and open process that was undertaken by the Authority in December for the procurement of professionals and other services. The Resolution adopts the recommendations of the various committees that reviewed the submittals and recommends qualification of certain

vendors and award of contracts to certain vendors. Award of the contracts as applicable, will be authorized by separate resolution. Resolution (l) is one of the award resolutions and it authorizes Hodulik & Morrison to provide auditing services at a cost not to exceed \$80,000.00. Resolution (m) authorizes the award of a contract for engineering services for the general operations of the Authority to CME Associates. The budgeted cost is not to exceed \$100,000.00. Resolution (n) awards a contract to Phoenix Advisors to provide financial advisory services. Resolution (k) qualified Phoenix Advisors as a financial advisor and this resolution will authorize Phoenix Advisors to provide continuing disclosure agent services at a cost of \$2,500.00.

Resolution (o) authorizes award of a contract for legal services as general counsel to the Authority to Craig J. Coughlin, Esq. at the hourly rate of \$185.00 for a not to exceed amount of \$150,000.00. Resolution (p) awards a contract for bond counsel services to Waters, McPherson, McNeill, P.C. The amount of fees authorized will be determined pursuant to a financing or other resolution. Resolution (q) qualifies all underwriters who provided a submission to provide underwriting services. Actual selection and authorization for the provision of the services will be approved in a financing or other resolution.

Resolution (r) awards a contract for communication services to Creative Ink at a cost of \$2,000.00 per month. Resolution (s) awards a contract for insurance producer services to North American Insurance Management. Resolution (t) authorizes award of a contract for legal services for professional liability and general liability for the Roosevelt Care Center facilities to Inglesino Webster Wyciskala Taylor, LLC at \$185.00 per hour for an amount not to exceed \$60,000.00. Resolution (u) authorizes an award of a contract for legal services for special project to the Inglesino firm at the same rate for an amount not to exceed \$50,000.00. Resolution (v) authorizes award of contracts for the provision of legal services for workers compensation defense to Gary M. Price, Esq. and Graziano, Piasecki & Whitelaw, LLC. The total cost for the contracts is not to exceed \$95,000.00.

Lastly, Resolution (w) authorizes the Executive Director to purchase two trucks from a State approved vendor(s) at a cost not to exceed \$65,000.00.

The next item on the agenda was approval of the minutes of the meeting of December 14, 2016. Upon motion duly made by Robert J. Mantz, seconded by Anthony Raczynski and unanimously approved by the members present, the minutes of the meeting of December 14, 2016 were approved.

The Chairman invited the public to comment on the resolutions. There being no public comment, the meeting proceeded to consideration of the resolutions. Upon motion duly made by Anthony Raczynski, seconded by Paul Abbey and unanimously approved by the members present, the members determined to consider the resolutions by consent with the exception of Resolution (q), and adopted the following resolutions:

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY APPROVING AMENDMENT TO EMPLOYEE PROCEDURES

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 2017; and

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

**WHEREAS,** by Resolution 16-24 duly adopted by the Authority on February 10, 2016, the Authority, among other things, established a process for the hiring of Authority employees; and

**WHEREAS,** by Resolution duly adopted on November 9, 2016, the Authority approved an amendment to the process; and

**WHEREAS**, the Authority would like to further amend the hiring process and employee procedures in accordance with this Resolution.

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

- 1. The Executive Director is hereby authorized to approve hiring, termination and employment actions of all Authority employees.
- 2. This Resolution shall take effect immediately and shall govern over any conflicting resolutions adopted heretofore.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING 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 January 11, 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 is in need of services for the provision of the food and beverage concession at the Golf Course (the "Services"); and

**WHEREAS,** the Authority solicited quotes for the provision of the Services from three vendors and received a quote for the Services from Lisa's Kitchen, LLC; and

**WHEREAS**, the Authority would like to accept the quote from Lisa's Kitchen, LLC and award a contract to Lisa's Kitchen, LLC 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 proposal of Lisa's Kitchen, LLC and awards a contract for the Services to Lisa's Kitchen, LLC for a period of one (1) year at a monthly fee of \$300.00.
- 2. The Authority hereby authorizes the Chairman or Vice-Chairman to execute a contract with Lisa's Kitchen, LLC in a form as shall be approved by the Chairman. The Secretary of the Authority 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.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	Absent
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

#### AUTHORIZING CONTRACT FOR ADMINISTRATIVE CONSULTING SERVICES

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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**, the Authority requires certain administrative and consulting services (the "Services"); and

**WHEREAS,** the Authority has received a proposal from Albanir Consulting, LLC to provide the Services; and

**WHEREAS,** the Services are an exception to the public bidding requirements of the Local Public Contracts Law as an extraordinary unspecifiable service, N.J.S.A. 40A:11-5(1)(a)(ii); 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 certified that the value of the contract will exceed \$17,500.00; and

WHEREAS, Albanir Consulting, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the company 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 will prohibit the company from making reportable contributions through the term of the contract; and

**WHEREAS,** the Authority would like to authorize Albanir Consulting, LLC to provide the Services and to authorize a contract with Albanir Consulting, 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 Albanir Consulting, LLC to provide the Services and awards a contract to Albanir Consulting, LLC at a monthly fee of \$7,500.00 for a cost not to exceed \$90,000.00.
- 2. The Authority authorizes the Chairman to approve the proposal or contract with Albanir Consulting, LLC. The Authority authorizes the Chairman or Vice-Chairman to execute the proposal or contract in the form approved by the Chairman. The Secretary is 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 will be included in the 2017 budget.
- 4. The Secretary of the Authority is authorized to publish a brief notice of the authorization pursuant to N.J.S.A. 40A:11-5(1)(a)(ii).

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

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

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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 Recycling Division offices and 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 would like to exercise the first 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 first 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.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING AMENDMENTS TO APPROVED STATE VENDOR LIST

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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 State of New Jersey Division of Purchase and Property of the Department of the Treasury approved vendor list (the "State Vendor List"); and

**WHEREAS,** by Resolution 16-34 duly adopted by the Authority on February 10, 2016, the Authority authorized purchases from the State Vendor List; and

**WHEREAS,** the Authority would like to approve amendments to the State Vendor 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 amendments to the State Vendor List as follows: Ricoh Americas Corp Contract #82709 M0053 Expires 12/31/20 Schindler Elevator Co Contract #85649 T2946 Expires 12/31/17

Recorded Vote:	<u>Aye</u> 5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X			
Mantz, Robert J.	X			
Raczynski, Anthony	X			
Abbey, Paul	X			
Zangara, Richard	X			

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING PURCHASES FROM VENDOR ON APPROVED STATE VENDOR LIST

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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 State of New Jersey Division of Purchase and Property of the Department of the Treasury approved vendor list (the "State Vendor List"); and

**WHEREAS,** by Resolution 16-34 duly adopted by the Authority on February 10, 2016, the Authority authorized purchases from the State Vendor List; and

**WHEREAS,** the Authority would like to authorize purchases from an additional vendor on the State Vendor 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 purchases from a vendor on the State Vendor List as follows:

Pitney Bowes Contract #41258 T0200 Expires 4/14/19 Amount Not to Exceed \$1,000.00

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

<u>Aye</u> 5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			
	X X	x x	x x

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING MEMBERSHIP IN HEALTH CARE ASSOCIATION OF NEW JERSEY

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 2017; and

**WHEREAS**, the Authority operates 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), 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 Health Care Association of New Jersey ("HCANJ") is a medical association that is recognized as the primary source of current health information in the State of New Jersey; and

**WHEREAS,** the Administrators of the Roosevelt Care Center facilities have recommended that the Authority continue participation in HCANJ for both Roosevelt Care Center at Edison and Roosevelt Care Center at Old Bridge; and

**WHEREAS,** the Authority would like to approve the Authority's continued membership in HCANJ.

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

- 1. The Authority authorizes membership in HCANJ at a cost not to exceed \$25,470.00.
- 2. The Authority authorizes the Licensed Administrator of each Roosevelt Care Center facility to execute any applications which may be required for continued membership in HCANJ.
- 3. The Certifying Finance Officer has certified that the funds for the membership are available from and can be obtained from the funds of the Authority.

<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
X				
X				
X				
X				
X				
	x x	X X	X X	x x

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING AMENDMENT TO CERTIFICATION OF FUNDS FOR CONTRACT UNDER STATE APPROVED VENDOR LIST

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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. 19:44A-20.4; and

**WHEREAS,** by Resolution 16-34 duly adopted by the Authority on February 10, 2016, the Authority authorized purchases from a vendor under State Contract #85943 T1776 Verizon; and

**WHEREAS,** the Authority would like to amend 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 amendment to the certification of funds for the contract with State approved vendor Verizon under Contract #85943 T1776 to increase the certification by an amount not to exceed \$15,000.00.
- 2. The Certifying Finance Officer is hereby authorized to increase the certification of funds for the contract with Verizon in accordance with this Resolution.

Recorded Vote:	Aye	5	<u>No</u>	<u>Abstain</u>	Absent
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

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

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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 ("Roosevelt Care Center"), a long term care facility located in the Township of Edison, County of Middlesex; and

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

**WHEREAS,** the Authority has received a proposal for the provision of the Services from Raritan Bay Cardiology Group, P.A. ("Raritan Bay"); 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, Raritan Bay has completed and submitted a Business Entity Disclosure Certification which certified that Raritan Bay 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 Raritan Bay from making any reportable contribution through the term of the contract; and

**WHEREAS,** the Authority would like to authorize a contract with Raritan Bay 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 Raritan Bay and authorizes and awards a contract to Raritan Bay for the provision of the Services at a cost not to exceed \$7,750.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Raritan Bay setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval by the Authority shall be required.
- 3. 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).
- 4. 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.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING PROCUREMENT PROCESS FOR WASTEWATER TREATMENT SYSTEM REQUEST FOR QUALIFICATIONS/PROPOSALS

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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 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 would like to alternatively authorize the use of the procurement process for the Program as set forth in the New Jersey Wastewater Treatment Public-Private Contracting Act, N.J.S.A. 58:27-19 et seq. 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 use of the procurement process set forth in the New Jersey Wastewater Treatment Public-Private Contracting Act, N.J.S.A. 58:27-19 et seq. for the Program.
- 2. The Authority hereby authorizes the Executive Director to oversee and administer the process for the preparation and issuance of a Request for Qualifications and Proposals for a Public/Private Partnership for the Program.
- 3. The Authority authorizes the preparation, issuance and advertising of the availability of the Request for Qualifications and Proposals documents, receipt and evaluation of same and the providing of any notice, application for any approval, conduct of any hearing, as applicable, and the taking of any and all other acts reasonable and necessary in connection with the applicable procurement process undertaken by the Authority for the Program.
- 4. The Authority ratifies and confirms any actions taken in accordance with this Resolution and no further approval or consent shall be required with respect thereto.

Recorded Vote:	Aye	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

#### **RESOLUTION OF THE**

### MIDDLESEX COUNTY IMPROVEMENT AUTHORITY QUALIFYING PROVIDERS FOR PROFESSIONALS AND OTHER SERVICES FOR APPOINTMENT PURSUANT TO FAIR AND OPEN PROCESS

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 2017; and

**WHEREAS**, the Authority, pursuant to N.J.S.A. 40:37A-55(t), is authorized to do and perform any act or thing 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 certain professional and other services (the "Services") exempt from the public bidding requirements of the Local Public Contracts Law throughout the year; and

**WHEREAS,** in accordance with N.J.S.A. 19:44A-20.4 et seq., the Authority has undertaken a fair and open process for the solicitation of qualifications and rates, as applicable; and

WHEREAS, in accordance with the evaluation criteria outlined in the request for qualifications and rates, as applicable, certain committees of two or more of the Chairman, Executive Director, Chief Financial Officer and Director of Special Projects – Open Space have reviewed the responses and have made recommendations to the Authority concerning the qualification of providers and or award of contracts, as applicable, in connection with the provision of the Services; and

**WHEREAS,** the Authority would like to adopt the recommendations of the Committee and qualify vendors 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 adopts the recommendations of the Committee as contained in the report attached hereto and made a part hereof.
  - 2. The Authority hereby qualifies the following vendors:

<u>Arbitrage Rebate Services</u> BLX Group, LLC

Auditing Services Hodulik & Morrison, P.A.

Communication Services Creative Ink

Engineering Services - General Operations Center State Engineering, CME Associates and

Najarian Associates

<u>Financial Advisory Services</u> Acacia Financial Group, Inc., NW Financial Group,

LLC, Phoenix Advisors, LLC and Powell Capital

Markets, Inc.

Insurance Producer Services North American Insurance Management, a Division

of Acrisure

Legal Counsel – Bond Counsel Archer & Greiner, Waters, McPherson, McNeill,

P.C. and Wilentz, Goldman & Spitzer, P.A.

Legal Counsel – General Counsel Craig J. Coughlin, Esq. and Florio Kenny Raval

LLP

Legal Counsel – Professional Liability

and General Liability Defense

Eric M. Bernstein & Associates, LLC, Inglesino

Webster Wyciskala Taylor LLC and Wilentz,

Goldman & Spitzer, P.A.

Legal Counsel – Special Projects Inglesino Webster Wyciskala Taylor, LLC and

Wilentz, Goldman & Spitzer, P.A.

<u>Legal Counsel – Workers Compensation</u> Eric M. Bernstein & Associates, LLC, Gary M.

Defense Price, Esq. and Graziano, Piasecki & Whitelaw,

LLC

Printing Services McElwee & Quinn

Open Space and Farmland Preservation Program

Professional Services of Title Insurance

<u>Agents or Companies</u> Two Rivers Title Company, LLC

Appraisal Services - Open Space Program Bettina Durmaskin Sholk, MAI, MA, MBA,

Fleming White Appraisals, Inc., New Jersey Realty Advisory Group, LLC and Sterling DiSanto &

Associates

Appraisal Services – Farmland Preservation Bettina Durmaskin Sholk, MAI, MA, MBA,

Program Fleming White Appraisals Inc. and Sterling

DiSanto & Associates

Engineering Services for Open Space and CME Associates, Mott MacDonald, Najarian

Farmland Preservation Program Associates and T & M Associates

<u>Engineering Services for the Preparation</u> CME Associates, Mott MacDonald and Najarian

of Surveys for the Farmland Preservation Associates

Program
Engineering Services for the Preparation

Engineering Services for the Preparation of Surveys for the Open Space Program

CME Associates and Mott MacDonald

3. The foregoing vendors are qualified to provide the respective services to the Authority. The qualification of any vendor shall not authorize or guarantee that the vendor will be providing service. Authorization for performance of any service or the award of a contract shall be by separate resolution of the Authority.

4. The Secretary of the Authority shall be and is hereby directed to cause a notice of the qualifications to be published as required by N.J.S.A. 40A:11-5(1)(a)(i) or (ii), as applicable.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT FOR AUDITING SERVICES TO HODULIK & MORRISON, P.A.

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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,** 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,** the Authority desires to obtain the services of an auditor to perform the 2017 Authority audit and related services (the "Services"); and

**WHEREAS,** the Services to be performed by the auditor are professional services pursuant to N.J.S.A. 40A:11-5(1)(a)(i); 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; and

WHEREAS, by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process as set forth in said Resolution and qualified Hodulik & Morrison, P.A. to provide the Services; and

**WHEREAS,** the Committee has also recommended that Hodulik & Morrison, P.A. be awarded a contract to provide the Services; and

WHEREAS, the Authority would like to adopt the recommendations of the Committee and award a contract for the Services to Hodulik & Morrison, P.A., 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 adopts the recommendations of the Committee and awards a contract to Hodulik & Morrison, P.A., to provide the Services to the Authority for the audit of the calendar year 2017 and related services. Hodulik & Morrison, P.A., shall provide the Services to the Authority in accordance with and at the rates set forth on Schedule A attached hereto and made a part hereof. The cost for the provision of the Services budgeted by the Certifying Finance Officer is not to exceed \$80,000.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Hodulik & Morrison, P.A., setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval by the Authority shall be required.
- 3. The Secretary of the Authority shall be and is hereby directed to cause a brief notice of the authorization to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).
- 4. The Certifying Finance Officer has certified that the funds for the Services shall be included in the appropriate budget.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACT FOR ENGINEERING SERVICES GENERAL OPERATIONS TO CME ASSOCIATES

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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(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 professional engineering services (the "Services") for the coming year; and

**WHEREAS**, the Services are professional services and are exempt from the public bidding requirements of the Local Public Contracts Law; 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 a request for qualifications and proposals for the provision of the Services, among other services; and

**WHEREAS,** by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process as set forth in said Resolution and qualified CME Associates to provide the Services; and

**WHEREAS,** the Committee has also recommended that CME Associates be awarded a contract to provide the Services; and

**WHEREAS,** the Authority would like to adopt the recommendations of the Committee and award a contract for the Services to CME Associates 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 adopts the recommendations of the Committee and awards a contract to CME Associates for the Services. CME Associates shall provide the Services to the Authority in accordance with the rates set forth on Schedule A attached hereto and made a part hereof. The cost of the provision of the Services as budgeted by the Certifying Finance Officer is not to exceed \$100,000.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with CME Associates setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval shall be required.
- 3. The Secretary of the Authority shall be and is hereby directed to cause a brief notice of the award to be published in accordance with N.J.S.A. 40A:11-5(1)(a)(i).
- 4. The Certifying Finance Officer has certified that the funds for the Services are available in the budget.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACT FOR SERVICE AS CONTINUING DISCLOSURE AGENT TO PHOENIX ADVISORS, LLC

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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(1)(a)(i) and (ii), any contract, purchase, or agreement, the subject matter of which consists of professional services or extraordinary, unspecifiable 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 financial advisory services and continuing disclosure agent services (the "Services") for the coming year; and

**WHEREAS,** the Services are exempt from the public bidding requirements of the Local Public Contracts Law; 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 for the provision of the Services, among other Services; and

**WHEREAS,** by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process as set forth in said Resolution, and qualified Phoenix Advisors, LLC to provide the Services; and

**WHEREAS,** the Committee has also recommended that Phoenix Advisors, LLC be awarded a contract to provide continuing disclosure agent services; and

**WHEREAS,** the Authority would like to adopt the recommendation of the Committee and award a contract for the provision of the continuing disclosure agent services in accordance with this Resolution.

- 1. The Authority hereby adopts the recommendation of the Committee and awards a contract to provide continuing disclosure agent services to the Authority to Phoenix Advisors, LLC at a cost not to exceed \$2,500.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Phoenix Advisors, LLC, if required, for the provision of the continuing disclosure agent services.
- 3. The Certifying Finance Officer has certified that the funds for the continuing disclosure agent services are included in the 2017 budget.
- 4. The Secretary of the Authority is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACT FOR LEGAL COUNSEL – GENERAL OPERATIONS TO CRAIG J. COUGHLIN, ESQ

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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(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 coming 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**, by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process as set forth in said Resolution and qualified Craig J. Coughlin, Esq. to provide the Services; and

**WHEREAS,** the Committee has also recommended that Craig J. Coughlin, Esq. be awarded a contract to provide the Services; and

WHEREAS, the Authority would like to adopt the recommendation of the Committee and award a contract for the Services to Craig J. Coughlin, Esq. in accordance with this Resolution.

- 1. The Authority hereby adopts the recommendation of the Committee and awards a contract to Craig J. Coughlin, Esq. to provide the Services to the Authority. Craig J. Coughlin, Esq. shall provide the Services to the Authority at the hourly rate of \$185.00 and in accordance with and at the rates and terms set forth on Schedule A attached hereto and made a part hereof. The cost for the provision of the Services is not to exceed \$150,000.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Craig J. Coughlin, Esq. setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval shall be required.
- 3. The Secretary of the Authority is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).
- 4. The Certifying Finance Officer of the Authority has certified that the funds for the Services are available in the budget.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACT FOR BOND COUNSEL SERVICES TO WATERS, MCPHERSON, MCNEILL, P.C.

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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(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 the professional legal services of bond counsel (the "Services") for the coming 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 for the provision of the Services, among other services; and

**WHEREAS,** by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process as set forth in said Resolution and qualified Waters, McPherson, McNeill P.C. to provide the Services; and

**WHEREAS,** the Committee also recommended that Waters, McPherson, McNeill P.C. be awarded a contract to provide the Services; and

WHEREAS, the Authority would like to adopt the recommendation of the Committee and award a contract for the Services to Waters, McPherson, McNeill, P.C. in accordance with this Resolution.

- 1. The Authority hereby adopts the recommendation of the Committee and awards a contract to Waters, McPherson, McNeill, P.C. to provide the Services as the Authority's Bond Counsel. The Authority shall pay for the Services of Bond Counsel from the proceeds of financings of projects of the Authority and shall approve the payment for Services for Bond Counsel prior to the issuance of any bonds.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Waters, McPherson, McNeill, P.C. setting forth the terms of the provision of the

bond counsel services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval shall be required.

3. The Secretary of the Authority is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT FOR COMMUNICATION SERVICES TO CREATIVE INK

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 2017; and

**WHEREAS,** the Authority requires the provision of communication services (the "Services"); 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 provision of the Services are an exception to the public bidding requirements of the Local Public Contracts Law; 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 the request for qualifications and proposals for the provision of the Services; and

**WHEREAS,** the Authority received a response to the request for qualifications and proposals from Creative Ink; and

**WHEREAS,** in accordance with the process established, the Committee of the Chairman, Executive Director and Chief Financial Officer have reviewed the response and have made a recommendation to the Authority to qualify Creative Ink to provide the Services and to award a contract for the Services to Creative Ink; and

WHEREAS, by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendation of the Committee concerning qualifying Creative Ink pursuant to the fair and open process as set forth in said Resolution and qualified Creative Ink to provide the Services; and

**WHEREAS,** the Authority would like to adopt the recommendation of the Committee to award a contract to Creative Ink and award a contract for the Services to Creative Ink 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 adopts the recommendation of the Committee as contained in the report and awards a contract for the provision of the Services to Creative Ink at a monthly fee of \$2,000.00.

- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Creative Ink setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval by the Authority shall be required.
- 3. The Certifying Finance Officer of the Authority has certified that the funds for the provision of the Services are available from and can be obtained from the funds of the Authority.
- 4. The Secretary of the Authority is authorized to publish a brief notice of the award as required by N.J.S.A. 40A:11-5(l)(a)(i).

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#### **RESOLUTION OF THE**

#### MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACT FOR INSURANCE PRODUCER SERVICES TO NORTH AMERICAN INSURANCE MANAGEMENT

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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 (1)(a)(i) and (ii) any contract, purchase, or agreement, the subject matter of which consists of professional services or extraordinary, unspecifiable services is an exception to the public bidding requirements of the Local Public Contracts Law; and

**WHEREAS,** the Authority requires the services of an insurance producer (the "Services") to place the Authority's insurance requirements for the coming year; and

**WHEREAS**, the Services are exempt from the public bidding requirements of the Local Public Contracts Law; 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; and

WHEREAS, by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process as set forth in said Resolution and qualified North American Insurance Management a division of Acrisure (hereinafter "North American") to provide the Services; and

**WHEREAS,** the Committee has also recommended that North American be awarded a contract to provide the Services; and

**WHEREAS**, the Authority would like to adopt the recommendation of the Committee and award a contract for the Services to North American 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 adopts the recommendation of the Committee and awards a contract to North American to provide the Services to the Authority for the coming year at a monthly fee of \$4,167.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with North American pursuant to this Resolution setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval shall be required.
- 3. The Secretary of the Authority is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).
- 4. The Certifying Finance Officer of the Authority has certified that the funds for the Services are available from and included in the budget.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	Absent
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACT FOR LEGAL SERVICES - PROFESSIONAL LIABILITY AND GENERAL LIABILITY DEFENSE TO INGLESINO WEBSTER WYCISKALA TAYLOR, LLC

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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(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 professional legal services (the "Services") for the defense of professional liability and general liability claims at Roosevelt Care Center; 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 a request for qualifications and proposals for the provision of the Services; and

WHEREAS, by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process set forth in

said Resolution and qualified Inglesino Webster Wyciskala Taylor LLC to provide the Services; and

**WHEREAS,** the Committee has also recommended that Inglesino Webster Wyciskala Taylor LLC be awarded a contract to provide the Services; and

**WHEREAS,** the Authority would like to adopt the recommendation of the Committee and award a contract for the Services to Inglesino Webster Wyciskala Taylor 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 adopts the recommendation of the Committee and awards a contract to Inglesino Webster Wyciskala Taylor LLC to provide the Services. The cost for the provision of the Services shall be at the hourly rate of \$185.00 for a total cost not to exceed \$60,000.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Inglesino Webster Wyciskala Taylor LLC setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval shall be required.
- 3. The Secretary of the Authority is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).
- 4. The Certifying Finance Officer of the Authority has certified that the funds for the Services are available from and included in the budget.

<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
X				
X				
X				
X				
X				
	x x	X X	X X	x x

#### **RESOLUTION OF THE**

#### MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACT FOR LEGAL SERVICES – SPECIAL PROJECTS TO INGLESINO WEBSTER WYCISKALA TAYLOR, LLC

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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(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 professional legal services (the "Services") for special projects; 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 a request for qualifications and proposals for the provision of the Services; and

**WHEREAS,** by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process set forth in said Resolution and qualified Inglesino Webster Wyciskala Taylor LLC to provide the Services; and

**WHEREAS,** the Committee has also recommended that Inglesino Webster Wyciskala Taylor LLC be awarded a contract to provide the Services; and

**WHEREAS,** the Authority would like to adopt the recommendation of the Committee and award a contract for the Services to Inglesino Webster Wyciskala Taylor 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 adopts the recommendation of the Committee and awards a contract to Inglesino Webster Wyciskala Taylor LLC to provide the Services. The cost for the provision of the Services shall be at the hourly rate of \$185.00 for a total cost not to exceed \$50,000.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Inglesino Webster Wyciskala Taylor LLC setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed approval by the Authority and no further action or approval shall be required.
- 3. The Secretary of the Authority is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).
- 4. The Certifying Finance Officer of the Authority has certified that the funds for the Services are available from and included in the budget.

Recorded Vote:	<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	Absent
Roseman, Leonard J.	X				
Mantz, Robert J.	X				
Raczynski, Anthony	X				
Abbey, Paul	X				
Zangara, Richard	X				

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AWARDING CONTRACTS FOR LEGAL SERVICES - WORKERS COMPENSATION DEFENSE COUNSEL TO GARY M. PRICE, ESQ. AND GRAZIANO, PIASECKI & WHITELAW, LLC

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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(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 professional legal services (the "Services") for the defense of workers compensation claims; 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 a request for qualifications and proposals for the provision of the Services; and

**WHEREAS,** by Resolution heretofore duly adopted by the Authority on this date, the Authority accepted and adopted the recommendations of the review committee (the "Committee") concerning qualifying vendors pursuant to the fair and open process as set forth in said Resolution and qualified Gary M. Price, Esq. and Graziano, Piasecki & Whitelaw, LLC to provide the Services; and

**WHEREAS,** the Committee has also recommended that Gary M. Price, Esq. and Graziano, Piasecki & Whitelaw, LLC be awarded contracts to provide the Services; and

**WHEREAS,** the Authority would like to adopt the recommendation of the Committee and award contracts for the Services to Gary M. Price, Esq. (The Law Offices of Gary M. Price, LLC) and Graziano, Piasecki & Whitelaw, LLC in accordance with this Resolution.

- 1. The Authority hereby adopts the recommendation of the Committee and awards contracts to Gary M. Price, Esq. (The Law Offices of Gary M. Price, LLC) and Graziano, Piasecki & Whitelaw, LLC to provide the Services. The Services shall be provided at the hourly rate of \$100.00 for office work and \$125.00 for court time in an amount not to exceed \$95,000.00.
- 2. The Authority authorizes the Chairman of the Authority to approve and execute a contract with Gary M. Price, Esq. (The Law Offices of Gary M. Price, LLC) and Graziano, Piasecki & Whitelaw, LLC setting forth the terms of the provision of the Services. Such approval and execution by the Chairman shall be deemed the approval by the Authority and no further action or approval shall be required.
- 3. The Secretary of the Authority is directed to cause a brief notice of the above awards to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).
- 4. The Certifying Finance Officer of the Authority has certified that the funds for the Services are available from the funds of the Authority.

<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
X				
X				
X				
X				
X				
	X X X	X X X	x x x	x x x

## RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AUTHORIZING PURCHASES FROM STATE CONTRACT VENDOR(S) FOR TRUCKS FOR THE GOLF COURSES

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 2017; and

**WHEREAS,** pursuant to the provisions of the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et seq., the Authority is empowered to improve, further and promote the tourist industries and recreational attractiveness of the County of Middlesex (the "County") through the planning, acquisition, construction, improvement, maintenance and operation of facilities for the recreation and entertainment of the public; and

**WHEREAS,** in accordance with 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,** the Authority would like to acquire two (2) trucks (the "Equipment") for use at the Golf Courses; 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 Equipment is available from a vendor or vendors on the State approved vendor list; and

WHEREAS, the Authority would like to authorize the purchase of the Equipment from vendor(s) on the State approved vendor list and authorize the Executive Director to take all actions reasonable and necessary in connection with the acquisition of the Equipment in accordance with this Resolution.

- 1. The Authority hereby authorizes the purchase of the Equipment from vendor(s) on the State approved vendor list at a cost not to exceed \$ 65,000.00.
- 2. The Authority hereby authorizes the Executive Director to execute any purchase orders or take any action reasonable and necessary in connection with the acquisition of the Equipment from vendor(s) on the State approved vendor list.
- 3. The Certifying Finance Officer has certified that the funds for the Equipment are available from bond proceeds.

<u>Aye</u>	5	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
X				
X				
X				
X				
X				
	X X X	X X X	x x x	x x x

Upon motion duly made by Robert J. Mantz, seconded by Anthony Raczynski with an abstention by Richard Zangara, the following resolution was adopted:

### RESOLUTION OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY OUALIFYING UNDERWRITERS FOR AUTHORITY FINANCINGS

**WHEREAS,** a regular meeting of the Middlesex County Improvement Authority (the "Authority") was held on January 11, 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**, pursuant to N.J.S.A. 40:37A-55(t), the Authority is empowered to borrow money and issue negotiable bonds or notes or other obligations; and

**WHEREAS,** in connection with the issuance of such bonds or notes, the Authority requires underwriting services (the "Services"); and

**WHEREAS**, the Services are an exception to the public bidding requirements of the Local Public Contracts Law; 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 a request for qualifications for the provision of the Services; and

**WHEREAS,** the Authority received responses to the request for qualifications from FTN Financial Capital Markets, NW Capital Markets, Inc., Powell Capital Markets, Raymond James and Wells Fargo Securities; and

**WHEREAS,** in accordance with the evaluation criteria outlined in the request for qualifications, the Committee of the Chairman, Executive Director and Chief Financial Officer have reviewed the responses and have made a recommendation to the Authority to qualify the underwriters for the provision of the Services; and

**WHEREAS,** the Authority would like to adopt the recommendations of the Committee and qualify the underwriters in accordance with this Resolution.

- 1. The Authority hereby adopts the recommendations of the Committee of the Chairman, Executive Director and Chief Financial Officer as contained in the report attached hereto and made a part hereof.
- 2. The Authority hereby qualifies the following to provide the Services subject to further qualification, if necessary, due to the nature of the particular financing: FTN Financial

Capital Markets, NW Capital Markets, Inc., Powell Capital Markets, Raymond James and Wells Fargo Securities. The cost for the provision of the Services shall be determined by resolution of the Authority when each specific financing project is approved.

3. The Secretary of the Authority is directed to cause a brief notice of the above qualification to be published as required by N.J.S.A. 40A: 11-5(1)(a)(i).

Recorded Vote:	<u>Aye</u>	4	<u>No</u>	<u>Abstain</u>	1	<u>Absent</u>
Roseman, Leonard J.	X					
Mantz, Robert J.	X					
Raczynski, Anthony	X					
Abbey, Paul	X					
Zangara, Richard				X		

Upon motion duly made by Robert J. Mantz, seconded by Anthony Raczynski with an abstention by Paul Abbey, 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 January 11, 2017, that payments as itemized on the attached bill list, attached hereto and made a part hereof, in the total amount of \$2,558,088.82 are 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 \$2,558,088.82 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

The Chairman invited the public to comment. There being no response from the public, upon motion duly made by Robert J. Mantz and seconded by Anthony Raczynski, the meeting was adjourned.

/s/ Daria Anne Venezia
Daria Anne Venezia
Secretary to the Meeting