



COUNTY OF MERCER
McDADE ADMINISTRATION BUILDING
640 SOUTH BROAD STREET
P.O. BOX 8068
TRENTON, NEW JERSEY 08650-0068
(609) 989-6584
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JERLENE H. WORTHY, CLERK
BOARD OF COUNTY COMMISSIONERS

EBONY WITHERSPOON
DEPUTY CLERK

MERCER COUNTY BOARD OF COUNTY COMMISSIONERS

FORMAL MEETING OF MARCH 23, 2023

MINUTES

Chair Walter called the Formal Meeting to order at 7:56 P.M. on March 23, 2023, in Room 211 of the Joyce L. McDade Administration Building, 640 South Broad Street, Trenton, New Jersey.

The following members of the Board answered the Roll Call of the Clerk to the Board:

Present – Commissioners Cimino, Lewis, McLaughlin, Melker, Stokes and Walter
Absent – Commissioner Frisby

The Clerk to the Board read the Invocation.

Chair Walter led the Pledge of Allegiance and Salute to the Flag.

The Clerk to the Board announced that in accordance with the provisions of the New Jersey Open Public Meetings Law, notice of this Formal Meeting had been mailed to The Trenton Times, The Trentonian and The Princeton Packet newspapers as well as having been posted in both the County Administration Building and Courthouse at least forty-eight (48) hours in advance of the meeting.

At this time, Chair Walter invited members of the public to comment on any item listed on the Agenda.

There were no comments.

APPROVAL OF MINUTES

On the motion of Commissioner McLaughlin, seconded by Commissioner Stokes, the Minutes of the following meetings were approved:

Formal Meeting of September 15, 2022

Formal Meeting of September 27, 2022

VOTE ON MOTION

Ayes -5. Nays - 0. Abstain -1. Absent - 1.

Ayes – Commissioners Cimino, McLaughlin, Melker, Stokes and Walter

Abstain – Commissioner Lewis

Absent – Commissioner Frisby

On the motion of Commissioner Stokes, seconded by Commissioner Melker, the Minutes of the following meeting were approved:

Formal Meeting of October 13, 2022

VOTE ON MOTION

Ayes -4. Nays - 0. Abstain -2. Absent - 1.

Ayes – Commissioners Cimino, McLaughlin, Melker and Stokes

Abstain – Commissioner Lewis and Walter

Absent – Commissioner Frisby

COMMUNICATIONS

A communication was received from Michelle I. Gunther, Clerk of the Board, dated March 3, 2023, RE: Resolution Supporting Federal Legislators to protect and enhance social security and other critical programs to Ocean County's senior and disabled residents.

A communication was received from Isamar Maldonado, Purchasing Agent, dated March 2, 2023, RE: Minutes and RFP/Bid Results for the Week of February 13, 2023.

A communication was received from Isamar Maldonado, Purchasing Agent, dated March 2, 2023, RE: Minutes and Bid Results for the Week of February 27, 2023.

A communication was received from Isamar Maldonado, Purchasing Agent, dated March 14, 2023, RE: Minutes and RFP Results for the Week of March 6, 2023.

A communication was received from Brian M. Hughes, County Executive, dated March 9, 2023, RE: Appointments and Reappointments requiring Commissioners Advise and Consent.

A communication was received from Michele Seigfried, Robbinsville Municipal Clerk, dated March 10, 2023, RE: Resolution calling to abolish the offices of the Superintendent of Elections and Deputy Superintendent of Elections.

A communication was received from Lillian L. Nazzaro, Esq., County Administrator, dated March 23, 2023, RE: Commissioner Questions for March 23, 2023.

RESOLUTIONS

At this time, the Clerk to the Board called for a Motion to Vote in Block the following Resolutions listed on the Agenda with the exception of Resolution Nos. R-22 and R-35.

Commissioner moved Stokes, seconded by Commissioner McLaughlin, that:

RESOLUTION NOS. R-1 THROUGH R-21, R-23 THROUGH R-34, AND R-36 THROUGH R-45 ON THE AGENDA “BE VOTED ON IN BLOCK”

VOTE ON MOTION

Ayes – 6. Nays - 0. Abstain - 0. Absent -1.

Ayes – Commissioners Cimino, Lewis, McLaughlin, Melker, Stokes and Walter
Absent – Commissioner Frisby

Commissioner McLaughlin offered the following Resolutions, seconded by Commissioner Stokes:

NO. 2023-206 MERCER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZE COMPETITIVE CONTRACTING FOR A CLOUD-BASED SOFTWARE MODULE FOR THE MERCER COUNTY NUTRITION PROGRAM. PERIOD: APRIL 1, 2023 THROUGH MARCH 31, 2026

NO. 2023-207 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A COMPETITIVE CONTRACT WITH NEW HOPE INTEGRATED BEHAVIORAL HEALTH CARE, FOR THE PROVISION OF A 48-HOUR INTOXICATED DRIVER RESOURCE CENTER (IDRC). PERIOD: APRIL 1, 2023 THROUGH MARCH 31, 2024. NO STATE OR COUNTY FUNDS

- NO. 2023-208** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A COMPETITIVE CONTRACT WITH PREVENTION EDUCATION, INC., T/A PEI KIDS, FOR THE PROVISION OF VIOLENCE PREVENTION PROGRAM SERVICES FOR YOUTH. PERIOD: JANUARY 1, 2023 THROUGH DECEMBER 31, 2023. AMOUNT: \$72,500.00 (FY2023 STATE [JJC] FUNDS) (NO COUNTY FUNDS)
- NO. 2023-209** AMEND RESOLUTION NO. 2021-435, ADOPTED AUGUST 12, 2021 AND AUTHORIZE THE COUNTY EXECUTIVE AND CLERK TO THE BOARD TO EXECUTE AMENDMENT NO. 4 TO THE COMPETITIVE CONTRACT WITH JOANNE C. LOCKE FOR THE PROVISION OF SYSTEM MONITOR FOR HOMELESS SERVICES IN MERCER COUNTY. PERIOD: SEPTEMBER 1, 2021 THROUGH AUGUST 31, 2023. "AMEND RESOLUTION TO INCREASE THE CONTRACT AMOUNT BY AN ADDITIONAL \$8,664.00 (FY2022 STATE FUNDS) FOR THE PERIOD OF JANUARY 1, 2023 THROUGH AUGUST 31, 2023", REVISED TOTAL AMOUNT: \$267,664.00 – (\$156,000.00 [COUNTY FUNDS]; \$80,000.00 [CITY OF TRENTON (COC) FUNDS]; \$10,000.00 [U.S. TREASURY FUNDS]; \$13,000.00 [FY2021 STATE FUNDS]; \$8,664.00 [FY2022 STATE FUNDS]) (NO COUNTY FUNDS)
- NO. 2023-210** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO SUBMIT A GRANT APPLICATION TO THE NEW JERSEY ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NJACCHO) FOR THE ENHANCING LOCAL PUBLIC HEALTH INFRASTRUCTURE GRANT. PERIOD: OCTOBER 1, 2022 THROUGH JUNE 30, 2023. AMOUNT: \$500,000.00 (STATE FUNDS) (NO COUNTY FUNDS)

- NO. 2023-211** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO ACCEPT A GRANT AWARD FOR CALENDAR YEAR 2023 NEW JERSEY JUVENILE JUSTICE COMMISSION (JJC) STATE COMMUNITY PARTNERSHIP AND FAMILY COURT SERVICES FUNDS THROUGH THE MERCER COUNTY YOUTH SERVICES COMMISSION. PERIOD: JANUARY 1, 2023 THROUGH DECEMBER 31, 2023. AMOUNT: \$874,060.00 (STATE COMMUNITY PARTNERSHIP [\$496,668.00 NO. SCP-23-PS-11; \$90,000.00 NO. SCP-23-PM-11]; FAMILY COURT [\$203,443.00 NO. FC-23-11; \$83,958.00 NO. FCIU-23-11 [PASS THROUGH, NOT PART OF COUNTY BUDGET] [NO COUNTY FUNDS])
- NO. 2023-212** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE CITY OF TRENTON FOR THE PROVISION OF INFORMATION AND ASSISTANCE SERVICES FOR THE CITY OF TRENTON OLDER ADULTS. PERIOD: JANUARY 1, 2023 THROUGH DECEMBER 31, 2024. AMOUNT: \$260,146.00 (\$130,073.00 PER YEAR [\$50,000.00, FEDERAL TITLE IIIB FUNDS PER YEAR]; [\$80,073.00 CITY OF TRENTON PROVIDER MATCH FUNDS PER YEAR]) (NO COUNTY FUNDS)
- NO. 2023-213** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO "EXERCISE AN OPTION TO EXTEND" A COMPETITIVE CONTRACT WITH CFG HEALTH SYSTEMS, LLC FOR MENTAL HEALTHCARE SERVICES FOR THE INMATES AT THE MERCER COUNTY CORRECTION CENTER. PERIOD: JANUARY 24, 2023 THROUGH JANUARY 24, 2024. TOTAL AMOUNT NOT TO EXCEED: \$674,705.16 (CC2020-05)

- NO. 2023-214** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO "EXERCISE AN OPTION TO EXTEND" A COMPETITIVE CONTRACT WITH CFG HEALTH SYSTEMS, LLC FOR MEDICAL HEALTHCARE SERVICES FOR THE INMATES THE MERCER COUNTY CORRECTION CENTER. PERIOD: JANUARY 24, 2023 THROUGH JANUARY 24, 2024. TOTAL AMOUNT NOT TO EXCEED: \$1,198,360.47 (CC2020-05)
- NO. 2023-215** COUNTY EXECUTIVE AND CLERK TO THE BOARD TO EXECUTE A COMPETITIVE CONTRACT WITH EDMUNDS GOVTECH TO PROVIDE A NEW FINANCIAL/ACCOUNTING SOFTWARE SOLUTION FOR THE COUNTY OF MERCER FOR A PERIOD OF TWO (2) YEARS WITH AN OPTION TO EXTEND FOR ONE (1) YEAR. PERIOD: APRIL 1, 2023 THROUGH MARCH 31, 2025. TOTAL AMOUNT NOT TO EXCEED: \$244,622.00 (YEAR ONE: \$152,245.00; YEAR TWO: \$92,377.00 (CC2023-04)
- NO. 2023-216** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A COMPETITIVE CONTRACT WITH NW FINANCIAL GROUP, LLC TO PROVIDE FINANCIAL ADVISORY CONSULTING SERVICES FOR THE COUNTY OF MERCER. PERIOD: FEBRUARY 27, 2023 THROUGH FEBRUARY 26, 2024; WITH AN OPTION TO EXTEND FOR TWO (2) ONE (1) YEAR PERIODS. TOTAL AMOUNT NOT TO EXCEED: \$100,000.00 (CC2023-01)
- NO. 2023-217** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO "EXERCISE AN OPTION TO EXTEND" THE AGREEMENT (AWARDED THROUGH A FAIR AND OPEN PROCESS) WITH UNION COUNTY ECONOMIC DEVELOPMENT CORPORATION (UCEDC) FOR BUSINESS LENDING SERVICES FOR THE COUNTY OF MERCER. PERIOD: FEBRUARY 28, 2023 THROUGH FEBRUARY 28, 2024. TOTAL AMOUNT NOT TO EXCEED: \$65,000.00 (RFP2022-01)

- NO. 2023-218** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY HISTORICAL COMMISSION FOR THE CULTURAL AND HERITAGE DIVISION TO PROVIDE GENERAL OPERATING SUPPORT TO HISTORICAL ORGANIZATIONS IN THE MERCER COUNTY REGION. AMOUNT: \$75,000.00. PERIOD: JANUARY 1, 2023 TO DECEMBER 31, 2023
- NO. 2023-219** AMEND RESOLUTION NO. 2021-282, ADOPTED MAY 13, 2021 AND AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AMENDMENT NO. 1 TO THE 2021 HOME INVESTMENT PARTNERSHIPS PROGRAM YEAR ANNUAL ACTION PLAN TO INCLUDE HOME-ARP FUNDING IN THE AMOUNT OF \$2,369,704.00 (FEDERAL FUNDING-NO COUNTY FUNDS) AND APPROVE THE SUBMISSION OF THE HOME-ARP ALLOCATION PLAN. (AMENDMENT NO. 1)
- NO. 2023-220** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO SUBMIT AN APPLICATION AND ACCEPT A GRANT AWARD FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS COVERING THE LIHEAP ASSISTANCE PROGRAM TO ASSIST THE ELDERLY, HANDICAPPED AND LOW-INCOME PERSONS WITH HEATING COSTS THROUGHOUT MERCER COUNTY. TOTAL AMOUNT: \$423,695.00. PERIOD: OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 (FEDERAL FUNDS – NO COUNTY FUNDS)
- NO. 2023-221** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO ACCEPT AND EXECUTE THE 2022 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) EMERGENCY MANAGEMENT AGENCY ASSISTANCE (EMAA) SUBAWARD FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY. FEDERAL AWARD: \$55,000.00; COUNTY IN-KIND MATCH: \$131,523.00; TOTAL AWARD: \$186,523.00. PERIOD: JULY 1, 2022 THROUGH JUNE 30, 2023

NO. 2023-222 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A PROPRIETARY SOFTWARE MAINTENANCE AND SUPPORT AGREEMENT WITH SUPERION, LLC A CENTRALSQUARE TECHNOLOGIES LLC COMPANY FOR SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE FINANCIAL ACCOUNTING SOFTWARE FOR THE COUNTY OF MERCER. PERIOD: MAY 1, 2023 THROUGH APRIL 30, 2024 WITH AN OPTION TO EXTEND FOR ONE (1) YEAR. TOTAL AMOUNT NOT TO EXCEED: \$158,195.52 (MONTHLY FEE: \$13,182.96)

NO. 2023-223 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A PROPRIETARY HARDWARE AND SOFTWARE AGREEMENT WITH GRAYSHIFT, LLC FOR GRAYKEY HARDWARE, SOFTWARE, AND USER LICENSE RENEWALS TO BE USED BY THE MERCER COUNTY PROSECUTOR'S OFFICE, LAWRENCE TOWNSHIP POLICE DEPARTMENT, AND WEST WINDSOR POLICE DEPARTMENT CYBER CRIMES UNITS. AMOUNT NOT TO EXCEED: \$102,842.46. PERIOD: JUNE 14, 2023 THROUGH DECEMBER 31, 2024

NO. 2023-224 MERCER COUNTY BOARD OF COUNTY COMMISSIONERS APPROVE THE DISBURSEMENT OF \$1,000.00 FROM THE MERCER COUNTY PROSECUTOR'S OFFICE, LAW ENFORCEMENT TRUST ("CLETA" – FORFEITURE) FUNDS ACCOUNT TO SPONSOR THE 2023 "CELEBRATE IRON MIKES" GALA (A NON PROFIT CORPORATION)

NO. 2023-225 COUNTY EXECUTIVE AND THE MERCER COUNTY BOARD OF COUNTY COMMISSIONERS SUPPORTS ADVANCING THE CONCEPT DEVELOPMENT INTERSECTION STUDIES PROJECT WITH FEDERAL FUNDS

- NO. 2023-226** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH PINTO CONSULTING LLC, TO PERFORM ANNUAL MONITORING OF NINETY COUNTY PRESERVED FARMLAND EASEMENTS AND SIX COUNTY CONSERVATION EASEMENTS. PERIOD: FEBRUARY 15, 2023 THROUGH FEBRUARY 15, 2024. AMOUNT NOT TO EXCEED: \$15,500.00
- NO. 2023-227** ACCEPTANCE OF A DEED OF EASEMENT FROM VERIZON NEW JERSEY, INC., TO THE COUNTY OF MERCER ALONG BLOCK 6, LOT 72, WEST WINDSOR TOWNSHIP, MERCER COUNTY FUNDS: \$1.00
- NO. 2023-228** ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT FROM MERRILL AND MURIAL SCHUTZBANK, TO THE COUNTY OF MERCER, FOR THE PURPOSE OF MERCER COUNTY BRIDGE NO. 441.2, PROSPECT STREET OVER SHABAKUNK CREEK, BRIDGE REPLACEMENT PROJECT, EWING TOWNSHIP, MERCER COUNTY. FUNDS REQUIRED: \$500.00
- NO. 2023-229** ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT FROM SANTIAGO CARBRERA, JR., AND SHANNON STRAUSS TO THE COUNTY OF MERCER, FOR THE PURPOSE OF MERCER COUNTY BRIDGE NO. 441.4, LOWER FERRY ROAD OVER SHABAKUNK CREEK, BRIDGE REPLACEMENT PROJECT, EWING TOWNSHIP, MERCER COUNTY. FUNDS REQUIRED: \$500.00
- NO. 2023-230** ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT FROM JIN TAN HUANG TO THE COUNTY OF MERCER, FOR THE PURPOSE OF MERCER COUNTY BRIDGE NO. 441.4, LOWER FERRY ROAD OVER THE SHABAKUNK CREEK, BRIDGE REPLACEMENT PROJECT, EWING TOWNSHIP, MERCER COUNTY. FUNDS REQUIRED: \$500.00

- NO. 2023-231** ACCEPTANCE OF PERMANENT BRIDGE MAINTENANCE EASEMENT FROM JIN TAN HUANG, TO THE COUNTY OF MERCER, FOR THE PURPOSE OF MERCER COUNTY BRIDGE NO. 441.4, REPLACEMENT PROJECT, LOCATED ON PROSPECT STREET OVER THE SHABAKUNK CREEK, EWING TOWNSHIP, MERCER COUNTY. FUNDS REQUIRED: \$500.00
- NO. 2023-232** ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT FROM ANNEMARIE SANDERS, TO THE COUNTY OF MERCER, FOR THE PURPOSE OF MERCER COUNTY BRIDGE NO. 441.4, PROSPECT STREET OVER THE SHABAKUNK CREEK, BRIDGE REPLACEMENT PROJECT, EWING TOWNSHIP, MERCER COUNTY FUNDS REQUIRED: \$500.00
- NO. 2023-233** ACCEPTANCE OF PERMANENT BRIDGE MAINTENANCE EASEMENT FROM ANNEMARIE SANDERS, TO THE COUNTY OF MERCER, FOR THE PURPOSE OF MERCER COUNTY BRIDGE NO. 441.1, REPLACEMENT PROJECT, LOCATED ON LOWER FERRY ROAD OVER THE SHABAKUNK CREEK, EWING TOWNSHIP, MERCER COUNTY FUNDS REQUIRED: \$585.00
- NO. 2023-234** MERCER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZES THE MERCER COUNTY MOSQUITO CONTROL UNIT TO CONDUCT AERIAL DISPENSING OPERATIONS OVER MERCER COUNTY FOR THE PURPOSE OF MOSQUITO SURVEILLANCE AND CONTROL FOR FISCAL YEAR 2023

NO. 2023-235

COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A CONTRACT WITH JESCO INC., TO PROVIDE REPAIR SERVICES AS NEEDED TO THE MILLER AND PAVER MACHINES FOR THE MERCER COUNTY DEPARTMENT OF TRANSPORTATION & INFRASTRUCTURE THROUGH THE EDUCATIONAL SERVICE COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM CONTRACT NO. 65MCESCCPS (BID NO. 22/23-12). PERIOD: FEBRUARY 22, 2023 THROUGH FEBRUARY 21, 2024. TOTAL AMOUNT NOT TO EXCEED: \$100,000.00

NO. 2023-236

AMEND RESOLUTION NO. 2022-867, ADOPTED DECEMBER 8, 2022 AND AUTHORIZE THE MERCER COUNTY BOARD OF COUNTY COMMISSIONERS TO ACKNOWLEDGE THAT MOOVE USA CORP HAS MERGED WITH PETROCHOICE LLC., EFFECTIVE FEBRUARY 6, 2023, FOR MOTOR OIL, HYDRAULIC OIL, BULK AND 55 GALLON DRUM DELIVERY FOR THE COUNTY OF MERCER AND THE MERCER COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM. AMOUNT NOT TO EXCEED: \$176,000.00. PERIOD REMAINS: NOVEMBER 24, 2022 THROUGH MAY 23, 2023 (AMENDMENT NO. 1)

NO. 2023-237

COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZES TO "EXERCISE AN OPTION TO EXTEND" AGREEMENT (AWARDED THROUGH A FAIR AND OPEN PROCESS) TO HFT MANAGEMENT INC., T/A GATEWAY OUTDOOR ADVERTISING TO DEVELOP AND MANAGE ADVERTISEMENT AT THE TRENTON-MERCER AIRPORT. CONCESSION FEE PAID TO THE COUNTY: 50% OF ANNUAL ADVERTISEMENT REVENUE OR MINIMUM ANNUAL GUARANTEE PAID TO THE COUNTY \$35,000.00. PERIOD: APRIL 1, 2023 THROUGH MARCH 31, 2024. (CC2021-02)

- NO. 2023-238** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZES NEGOTIATIONS FOR SECURITY SYSTEM INSTALLATION, MAINTENANCE, SERVICE, AND REPAIR FOR THE COUNTY OF MERCER AND THE MERCER COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM FOR A PERIOD OF TWO (2) YEARS (CK09MERCER2023-01N)
- NO. 2023-239** AWARD OF BID RECEIVED FEBRUARY 28, 2023 TO MULTIPLE VENDORS FOR TEMPORARY STAFFING SERVICES FOR THE MERCER COUNTY BOARD OF ELECTIONS OFFICE. PERIOD: APRIL 1, 2023 THROUGH DECEMBER 31, 2023. TOTAL AMOUNT NOT TO EXCEED: \$145,855.50 (AB2023-07)
- NO. 2023-240** APPOINTMENT OF ANNEESE MCRAE TO SERVE AS A MEMBER OF THE MERCER COUNTY COUNCIL ON AGING
- NO. 2023-241** REAPPOINTMENTS OF GEORGE SWAN AND SARITA WILSON TO SERVE AS MEMBERS OF THE MERCER COUNTY COUNCIL ON AGING
- NO. 2023-242** REAPPOINTMENT OF ANN SUABEDISSIN TO SERVE AS A MEMBER OF THE MERCER COUNTY LOCAL ADVISORY COMMISSION ON ALCOHOLISM AND DRUG ABUSE
- NO. 2023-243** REAPPOINTMENTS OF GEORGE BYRD AND SHARON NEMETH TO SERVE AS MEMBERS OF THE MERCER COUNTY MENTAL HEALTH BOARD
- NO. 2023-244** REAPPOINTMENT OF STACY SANTO TO SERVE AS A MEMBER OF THE MERCER COUNTY SPECIAL SERVICES SCHOOL DISTRICT
- NO. 2023-245** REAPPOINTMENTS OF MARYGRACE BILLEK, MARGARET GOULD AND LATOYA WILSON TO SERVE AS MEMBERS OF THE MERCER COUNTY WORKFORCE DEVELOPMENT BOARD

NO. 2023-246 RESCIND RESOLUTION NO. 2023-189, ADOPTED MARCH 9, 2023, AUTHORIZING TO EXECUTE A CONTRACT AWARDED THROUGH A NON-FAIR AND OPEN PROCESS) WITH REMINGTON & VERNICK FOR THE DISTRICT MAPPING AND RELATED SERVICES FOR THE MERCER COUNTY BOARD OF ELECTIONS. PERIOD: SEPTEMBER 1, 2022 THROUGH AUGUST 31, 2023. AMOUNT NOT TO EXCEED: \$35,400.00

NO. 2023-247 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A CONTRACT WITH REMINGTON & VERNICK (AWARDED THROUGH A NON-FAIR AND OPEN PROCESS) FOR DISTRICT MAPPING AND RELATED SERVICES FOR THE MERCER COUNTY BOARD OF ELECTIONS. PERIOD: SEPTEMBER 1, 2022 TO AUGUST 31, 2023. TOTAL AMOUNT NOT TO EXCEED: \$46,500.00

NO. 2023-248 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE LEASE ADDENDUM NO. 9 WITH HANA ASSOCIATES, LLC FOR THE HOUSING OF VOTING MACHINES FOR THE COUNTY OF MERCER; PERIOD: APRIL 1, 2023 THROUGH MAY 31, 2030. COST PER MONTH (BASE RENT) \$23,036.09 TO JUNE 2023, \$26,520.59 JULY 2023 THROUGH JUNE 2025, WITH ADDITIONAL COMMON AREA MAINTENANCE CHARGES. PROPERTY: 1 N. JOHNSTON AVENUE, HAMILTON TOWNSHIP (COUNTY FUNDS)

VOTE ON RESOLUTIONS:

Ayes – 6. Nays - 0. Abstain - 0. Absent -1.

Ayes – Commissioners Cimino, Lewis, McLaughlin, Melker, Stokes and Walter

Absent – Commissioner Frisby

Commissioner Melker offered the following Resolution, seconded by Commissioner Cimino:

NO. 2023-249 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO SUBMIT A GRANT APPLICATION TO THE PUBLIC SERVICE ELECTRIC & GAS COMPANY ELECTRIC VEHICLE CHARGING PROGRAM FOR THE INSTALLATION OF FOUR (4) LEVEL THREE (3) ELECTRIC VEHICLE CHARGERS AT TWO (2) COUNTY OWNED SITES. AMOUNT NOT TO EXCEED: \$200,000.00

ADOPTED:

Ayes - 5. Nays - 0. Abstain -1. Absent -1.

Ayes - Commissioners Cimino, McLaughlin, Melker, Stokes, and Walter

Abstain – Commissioner Lewis

Absent – Commissioner Frisby

Commissioner McLaughlin offered the following Resolution, seconded by Commissioner Stokes:

NO. 2023-250 AWARD OF BID RECEIVED MAY 18, 2022 TO C.J. HESSE, INC., FOR CONSTRUCT OF TAXIWAY D CONNECTOR PHASE TWO FOR THE TRENTON-MERCER AIRPORT. TOTAL AMOUNT: \$2,987,319.62. TERM: 120 WORKING DAYS FROM NOTICE TO PROCEED. (AB2022-22)

ADOPTED:

Ayes - 5. Nays - 1. Abstain -0. Absent -1.

Ayes - Commissioners Cimino, Koontz, McLaughlin, Melker and Stokes

Nays – Commissioner Walter

Absent – Commissioner Frisby

ORDINANCE – INTRODUCTION AND FIRST READING

Commissioner McLaughlin offered the following Ordinance Introduction, seconded by Commissioner Lewis:

AN ORDINANCE AMENDING THE MERCER COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO INCLUDE A SOLID WASTE DISPOSAL SERVICES AGREEMENT TO PROVIDE FOR TRANSFER, TRANSPORTATION AND DISPOSAL OF ACCEPTABLE WASTE BY AND BETWEEN THE MERCER COUNTY IMPROVEMENT AUTHORITY AND WASTE MANAGEMENT OF NEW JERSEY, INC.,

VOTE ON ORDINANCE:

Ayes – 5. Nays - 0. Abstain - 1. Absent -1.

Ayes – Commissioners Lewis, McLaughlin, Melker, Stokes and Walter

Abstain – Commissioner Cimino

Absent – Commissioner Frisby

ORDINANCE ADOPTION

AN ORDINANCE AMENDING SPEED LIMITS ALONG ROSEDALE ROAD (CR 604) BETWEEN ELM ROAD (CR 604) TO PROVINCE LINE ROAD (CR 569), MUNICIPALITY OF PRINCETON, COUNTY OF MERCER

The Clerk to the Board acknowledged receipt of a memorandum from County Executive Brian M. Hughes, dated March 21, 2023, whereby he indicated that he had reviewed the above named Ordinance and found no negative overriding implications, and therefore, he recommended adoption of the Ordinance.

The Clerk to the Board announced that said Ordinance had been properly advertised in accordance with the State Statute, and all requirements had been complied with.

Chair Walter announced the opening of the Public Hearing on said Ordinance.

Hearing no comments or questions, she called for a motion to close the public hearing.

Commissioner Stokes moved, **“To Close the Public Hearing”**, seconded by Commissioner Lewis.

VOTE ON MOTION

Ayes - 6. Nays - 0. Abstain - 0. Absent -1.

Ayes – Commissioners Cimino, Lewis, McLaughlin, Melker, Stokes and Walter

Absent – Commissioner Frisby

Commissioner Lewis offered the following Ordinance Adoption, seconded by Commissioner Stokes:

ORDINANCE NO. 2023-3

AN ORDINANCE AMENDING SPEED LIMITS ALONG ROSEDALE ROAD (CR 604) BETWEEN ELM ROAD (CR 604) TO PROVINCE LINE ROAD (CR 569), MUNICIPALITY OF PRINCETON, COUNTY OF MERCER

VOTE ON ORDINANCE:

Ayes - 6. Nays - 0. Abstain - 0. Absent -1.

Ayes – Commissioners Cimino, Lewis, McLaughlin, Melker, Stokes and Walter

Absent – Commissioner Frisby

OLD BUSINESS

Chair Walter discussed the timeline of the 2023 Mercer County Budget. She explained that April 11th was the last date the budget could be presented before the Board. Chair Walter offered the Administration the option of conducting a Special Formal Meeting if the budget was ready before then.

Commissioner McLaughlin agreed and felt the Board could use the additional time to begin the budgetary process.

Chair Walter asked if the table of organization (T.O) was completed.

County Administrator responded that the T.O. was still in the process of being completed.

Chair Walter asked the Administration if there was any update regarding the forensic audit.

County Administration Nazzaro said it was still being worked on.

NEW BUSINESS

Commissioner Stokes took a moment and congratulated Commissioner Melker for being recognized by Our Lady of Sorrows School as one of their 2023 Knight to Remember honorees.

Commissioner Melker was delighted to be one of the honorees for 2023.

At this time, Chair Walter invited the members of the public to comment on any item listed on the agenda.

There were no comments.

ADJOURNMENT

A motion to adjourn the Formal Meeting was offered by Commissioner Cimino and seconded by Commissioner Stokes, which was adopted by the unanimous vote of the members of the Mercer County Board of County Commissioners.

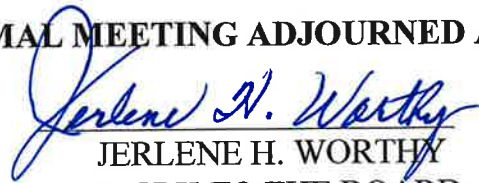
VOTE ON MOTION:

Ayes - 6. Nays - 0. Abstain - 0. Absent - 1.

Ayes – Commissioners Cimino, Lewis, McLaughlin, Melker, Stokes and Walter

Absent – Commissioner Frisby

FORMAL MEETING ADJOURNED AT 8:08 PM


JERLENE H. WORTHY
CLERK TO THE BOARD



COUNTY OF MERCER
McDADE ADMINISTRATION BUILDING
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JERLENE H. WORTHY, CLERK
BOARD OF COUNTY COMMISSIONERS

EBONY WITHERSPOON
DEPUTY CLERK

MERCER COUNTY BOARD OF COUNTY COMMISSIONERS

INFORMAL MEETING OF MARCH 23, 2023

MINUTES

Commissioner Board Chair Walter called the Agenda Meeting to order at 6:03 P.M. on March 23, 2023, in Room 211 of the Joyce L. McDade Administration Building, 640 South Broad Street, Trenton, New Jersey.

ROLL CALL

The following members of the Board answered the Roll Call of the Clerk to the Board:

Present – Commissioners Cimino, Lewis, McLaughlin, Melker, Stokes and Walter
Absent – Commissioner Frisby

Chair Walter led the Pledge of Allegiance and Salute to the Flag.

SUNSHINE LAW

The Clerk to the Board announced that in accordance with the provisions of the New Jersey Open Public Meetings Law, notice of this Informal Meeting had been mailed to The Trenton Times, The Trentonian and The Princeton Packet newspapers as well as having been posted in both the County Administration Building and Courthouse at least forty-eight (48) hours in advance of the meeting.

PUBLIC HEARING

AN ORDINANCE AMENDING THE MERCER COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO INCLUDE A SOLID WASTE DISPOSAL SERVICES AGREEMENT TO PROVIDE FOR TRANSFER, TRANSPORTATION AND DISPOSAL OF ACCEPTABLE WASTE BY AND BETWEEN THE MERCER COUNTY IMPROVEMENT AUTHORITY AND WASTE MANAGEMENT OF NEW JERSEY, INC.,

At this time, Chair Walter explained that the Mercer County Improvement Authority (MCIA) was present this evening to hold a public hearing on the Ordinance amending the Mercer County District Solid Waste Plan. **(See Schedule A, attached hereto and made a part hereof)**

Commissioner Cimino informed the Board that he would not be participating in any discussion with regard to the Ordinance because he is employed by the firm who conducted the study for Mercer County.

Michael Herbert, Esq., Board Counsel, stated that he directed Commissioner Cimino to take this action.

Phil Miller, Executive Director of the MCIA addressed the Board. Mr. Miller provided a brief over-view about the MCIA's Solid Waste Plan and explained this Ordinance would allow the current plan to be amended to allow for waste to be transported and disposed by and between the MCIA and Waste Management of New Jersey, Inc.

Al Collins, Deputy Executive Director of the MCIA, further informed the Board about the pending contract.

Commissioner Lewis was curious if the MCIA had looked into the possibility of implementing the separation of food waste and the impact it could have on their current recycling plan.

Mr. Miller responded that food waste was a large portion of the waste stream about 30 percent to be exact. He explained that the initiative has not really taken off but was hopeful because there was some movement within the legislation that would allow it to move forward.

Commissioner Lewis asked if she could be provided with the Legislative bill numbers.

Mr. Miller stated he would send the Commissioner's that information.

At this time, Chair Walter opened the public hearing on the amendment to the Solid Waste Plan and asked if any member from the public wished to speak on the matter.

Ms. Linda Martin, a resident of Robbinsville addressed the Board. She spoke of all the amazing pizza places throughout Mercer County and was curious if anything could be done in regard to how pizza boxes were designed to make them easily discarded and recyclable.

Mr. Collins explained that cardboard pizza boxes themselves aren't the issue. The issue is that the cardboard gets contaminated with pizza grease which then stains the paper and cardboard making them unacceptable to recycle.

Seeing no one else looking to comment on the matter, Chair Walter closed the public hearing on the Ordinance.

DISPARITY STUDY

James Chambers, Coordinator of Business Outreach, thanked the Board for allowing him to present the study this evening. He thanked County Executive, Brian M. Hughes for providing leadership to help improve the contracting process and allow qualified small and diverse businesses to operate their businesses in Mercer County. He said the Ordinance adopted in 2018 by the Commissioner Board established a Set aside program to increase the County's procurement with minority-owned businesses, Veteran and disabled Veteran owned businesses and women owned business enterprises. Mr. Chambers said that prior to July 2018 less than 1% of the county's total purchase of goods and services were procured with certified diverse vendors. He was pleased to inform the Board that since then, procurement has increased to 16% of all contracts awarded in 2021. Mr. Chambers discussed the adoption of a software program called BidNet which was used for advertising bids and RFPs and collecting responses. Mr. Chambers discussed the increased efficiency of the procurement process and was proud to inform the Board that Mercer County was the first and only county within the State of New Jersey to develop the Mercer County New Jersey Diverse Spender Directory. Mr. Chambers discussed the many small businesses that currently operate throughout Mercer County and the outreach that he and his colleague, Wendy Sturgeon have done.

Chair Walter was thrilled about the program's progress and all the changes that have occurred. She discussed how Commissioner Frisby brought the idea of a set-aside Ordinance to the Board and was elated that County Executive Hughes found the importance in conducting the disparity study. Chair Walter wanted to ensure that Mr. Chambers was sharing the information about the portal with the New Jersey Association of Counties (NJAC) and the League of Municipalities.

Commissioner Stokes thanked Mr. Chambers for all of the hard work that he and his team have done to assist minority owned businesses in being able to thrive in Mercer County.

Commissioner Lewis spoke about being a newly elected Commissioner and asked what the next steps were going forward. She asked if there would be a yearly update on the Ordinance.

Mr. Chambers explained that under the leadership of Anthony Carabelli, Jr., Director of Economic Development and Sustainability, they would introduce the portal to many vendors and implement the process in real time.

Commissioner Lewis noted that since this process is looking toward the future, she wondered what the numbers were since the addition of LGBTQ owned businesses.

Mr. Chambers responded that NJ PRIDE training is something the Administration would take under review and report their findings back to the Board.

Commissioner Cimino asked when the County advertises bids for construction contracts or professional contracts were there set-aside programs within those parts of bidding or was it strictly for vendors.

Mr. Chambers responded that the approval of the disparity study at tonight's meeting would assist his office in advertising for the set-aside Ordinance based on good faith efforts.

Commissioner Cimino made mention of the proposed bid for CJ Hesse which was on the Agenda for consideration this evening.

Mr. Chambers informed the Board that CJ Hesse was a small business enterprise and the set-aside Ordinance allows them to do business with Mercer County as well.

Commissioner Melker congratulated Mr. Chambers and his team on a great job conducting the study. She referred to the statistical information documented within the disparity study. Commissioner Melker brought attention to the low number of minority and black-owned businesses and wanted to make sure those numbers were correct.

Mr. Chambers explained that the numbers were in fact that low and said his office learned that from the disparity study. He spoke about the fact that many minority owned businesses were not certified. He said they spent a lot of time looking at companies to see if they were certified and explained that it was a challenging task.

Commissioner Melker felt it was important to know the percentages of businesses that have been impacted and was hopeful that moving forward this would be rectified. She was confident that Mercer County would improve the way minority owned businesses partake in a working relationship with the County.

Chair Walter asked the Administration if the original set-aside Ordinance needed to be amended to reflect that the program was now under the Department of Economic Development & Sustainability.

Paul Adezio, Esq., County Counsel, responded that he would look into the language difference and make the corrections to reflect any changes.

Chair Walter made mention of the possibility of broadening the set-aside Ordinance's parameters. She noted that the State was looking into adding LGBTQ owned businesses be included.

Mr. Chambers was in agreeance and felt the County would follow suit if the State added LGBTQ business owners.

Commissioner Stokes discussed the process of inclusion and said that if the County was looking into adding more eligible groups to the program he felt there should be a discussion regarding the percentage breakdowns and the fact that 10% percent was already a relatively low number.

Chair Walter concurred and referenced a court case that was heard in 2005. She spoke of that case and how it warranted the need of a set aside program to be proven and she felt that Mercer County has done just that. She felt the numbers certainly should be adjusted if more individual groups were to be added to the Ordinance.

MINUTES

1. Formal Meeting of September 15, 2022
2. Formal Meeting of September 27, 2022
3. Formal Meeting of October 13, 2022

COMMUNICATIONS

Seven (7) communications were discussed and approved for placement on the Agenda for the Formal Meeting of March 23, 2023.

Chair Walter made reference to communication C-4 and in particular the answer regarding R-35 authorizing an Award of Bid received May 18, 2022 to C.J. Hesse, Inc., for Construct of Taxiway D Connector Phase II for the Trenton-Mercer Airport. She asked the Administration for clarification as to why they hired an engineering firm to review the terms of the contract and to set the contract amount. Chair Walter was concerned that the initial bid was far less estimated and was curious as to why.

County Administrator Lillian Nazzaro, Esq., answered that she could not speak to previously awarded contracts but that presently Urban Engineers carefully reviewed the submission and because of the extreme rise of costs in general they recommended the Award of Bid.

Commissioner Cimino voiced his concerns regarding the nearly million-dollar difference and was looking for further clarification.

Chair Walter shared that she was uncomfortable voting on a Resolution that showed a 43% increase in pricing.

County Administrator Nazzaro spoke to the recent escalation of goods and services and how the climate has changed over the last three years since Covid-19.

Commissioner Melker clarified that this project was delayed due to Covid-19 and because of that the escalation of rising costs and the bidding climate has seen incredible changes. She was comfortable with Urban Engineers analysis of the increase because costs have substantially increased all across the board.

County Administrator Nazzaro noted that the back-up had contained a breakdown of the costs for the project.

Chair Walter was concerned with Urban Engineers' role in this matter because they were the initial advisors for the original plan when funding was approved. She noted that mid-project the Federal Aviation Administration (FAA) changed the plan after one million dollars was already expended. Chair Walter felt that the County wasn't receiving the full beneficial cost of hiring Urban Engineers to advise them.

County Administrator Nazzaro believed that the first initial cost was compiled three years prior showcasing the current financial disparity.

Chair Melker noted that in 2017 the County applied for the Grant and they would be responsible for funding the project up to 90%.

RESOLUTIONS

Forty-five (45) proposed Resolutions were discussed and approved for placement on the agenda for the Formal Meeting of March 23, 2023.

Chair Walter made reference to the Competitive Contract with Edmunds Govtech to provide a new financial/accounting software solution for the County of Mercer. Chair Walter asked if this software would be replacing the current system that the County utilizes.

County Administrator Nazzaro explained that eventually all pertinent up to date County information would be transferred from the AS400 to the new system and Edmunds would be the platform countywide as well as back-up on the cloud.

Commissioner Cimino made reference to the following proposed Resolution authorizing a Competitive Contract with NW Financial Group, LLC to provide Financial Advisory Consulting Services for the County of Mercer. Commissioner Cimino asked why the Administration was utilizing this financial advisor for bonding when historically bonding fees were included and capitalized in the bond.

County Administrator Nazzaro explained they could be bond counsel fees but would find out further information regarding the matter. She explained the County has an open contract with NW Financial and the firm does more than just the bond issuance.

Commissioner Cimino wanted to ensure that if the County went out to bond this year for capital projects that NW Financial would not be in the proceeds because they would be paid twice.

County Administrator Nazzaro understood and assured the Board she would double check that information.

Commissioner Lewis made reference to the following proposed Resolution authorizing to submit a Grant Application to the Public Service Electric & Gas Company Electric Vehicle Charging Program for the Installation of four (4) level (3) three electric vehicle charges at two (2) County owned sites. Commissioner Lewis requested this Resolution be separated from block because she works for the State of New Jersey Board of Public Utilities.

Commissioner Cimino made reference to the following proposed Resolution authorizing the Option to Extend Agreement with HFT Management, Inc., t/a Gateway Outdoor Advertising to Develop and Manage Advertisement at Trenton-Mercer Airport. He noted that previously the County contracted a minimum guarantee of \$50,000.00 and asked why that amount had been changed.

County Administrator Nazzaro did not have that information but would provide that information to the Board.

Commissioner Lewis asked what was the historic revenue.

Chair Walter responded that the revenue never exceeded \$35,000.00.

Chair Walter made reference to the following proposed Resolution R-35, Award of Bid received May 18, 2022 to C.J. Hesse, Inc., for Construct of Taxiway D Connector Phase Two for the Trenton-Mercer Airport. She asked the Resolution be pulled from block for a separate vote.

ORDINANCE INTRODUCTION

AN ORDINANCE AMENDING THE MERCER COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO INCLUDE A SOLID WASTE DISPOSAL SERVICES AGREEMENT TO PROVIDE FOR TRANSFER, TRANSPORTATION AND DISPOSAL OF ACCEPTABLE WASTE BY AND BETWEEN THE MERCER COUNTY IMPROVEMENT AUTHORITY AND WASTE MANAGEMENT OF NEW JERSEY, INC.,

ORDINANCE ADOPTION

AN ORDINANCE AMENDING SPEED LIMITS ALONG ROSEDALE ROAD (CR 604) BETWEEN ELM ROAD (CR 604) TO PROVINCE LINE ROAD (CR 569), MUNICIPALITY OF PRINCETON, COUNTY OF MERCER

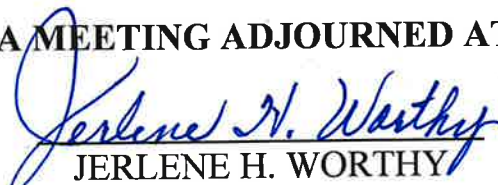
PUBLIC SECTION

At this time, Chair Walter invited the members of the public to comment on any item listed on the Agenda.

Linda Martin, a resident of Robbinsville addressed the Board. She was present this evening to voice her concerns regarding election issues that occurred in November 2022. She discussed a lack of responsibility from election officials and felt voters were disenfranchised. Ms. Martin urged the Board to take the matter seriously and look into failsafe's to ensure this did not happen again.

Mike McKitish, a resident of Robbinsville also addressed the Board. He commented how he was eager to attend future budget meetings and see how the Board allocated funding to improve the voting practices in Mercer County. He too was present this evening to discuss his experience during the 2022 General Election. Mr. McKitish spoke of how he personally was a disenfranchised voter due to the ineptitude of the process. He said voting was one of the most fundamentally important things in society and wanted to ensure residents were able to have their votes cast.

AGENDA MEETING ADJOURNED AT 7:56 PM


JERLENE H. WORTHY
CLERK TO THE BOARD

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MERCER COUNTY BOARD OF COUNTY COMMISSIONERS
PUBLIC HEARING

IN THE MATTER OF
AN ORDINANCE AMENDING THE MERCER
COUNTY DISTRICT SOLID WASTE MANAGEMENT
PLAN TO INCLUDE A SOLID WASTE DISPOSAL
SERVICES AGREEMENT TO PROVIDE FOR TRANSFER,
TRANSPORTATION, AND DISPOSAL OF ACCEPTABLE
WASTE BY AND BETWEEN THE MERCER COUNTY
IMPROVEMENT AUTHORITY AND WASTE MANAGEMENT
OF NEW JERSEY, INC.

BEFORE: LUCYLLE R.S. WALTER, CHAIRWOMAN
KRISTIN L. McLAUGHLIN
CATHLEEN LEWIS
JOHN A. CIMINO
TERRANCE STOKES
NINA D. MELKER

LOCATION: McDADE ADMINISTRATION BUILDING
640 South Broad Street
Room 211
Trenton, New Jersey 08650-0068

DATE: March 23, 2023

TIME: 6:00 P.M.

BY: Laura P. Ream, Court Reporter

1 A P P E A R A N C E S:

2

MERCER COUNTY IMPROVEMENT AUTHORITY

3

BY: PHILLIP S. MILLER, EXECUTIVE DIRECTOR

ALLAN C. COLLINS, DEPUTY EXECUTIVE DIRECTOR

4

80 Hamilton Avenue

2nd Floor

5

Trenton, New Jersey 08611

609-278-8100

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7

PARKER MCCAY, P.A.

8

BY: MICHAEL W. HERBERT, ESQUIRE

3840 Quakerbridge Road

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Suite 200

Hamilton, New Jersey 08619

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Counsel for the Board of County Commissioners

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LILLIAN L. NAZZARO, ESQUIRE

County Administrator

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ALSO PRESENT:

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Jerlene H. Worthy, Clerk to the Board

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I N D E X

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SPEAKERS

PAGE

Linda Martin

24

1 CHAIRWOMAN WALTER: With that, we
2 are moving to the public hearing.

3 Ms. Cookie, would you like to read
4 the title?

5 MS. JERLENE H. WORTHY: An Ordinance
6 Amending the Mercer County District Solid
7 Waste Management Plan to Include a Solid
8 Waste Disposal Services Agreement to
9 Provide For Transfer, Transportation, and
10 Disposal of Acceptable Waste By and
11 Between the Mercer County Improvement
12 Authority and Waste Management of New
13 Jersey, Inc.

14 CHAIRWOMAN WALTER: So at this point
15 I'm going to turn the meeting over.

16 Mr. Miller, if you would do
17 everything you need for the public
18 hearing.

19 COMMISSIONER CIMINO: (Indicating).

20 CHAIRWOMAN WALTER: I'm sorry.

21 COMMISSIONER CIMINO: Yeah. Thank
22 you, Madam Chair. Just for the record,
23 please note my nonparticipation in the
24 public hearing, as my firm put together
25 the study for the Mercer County

1 Improvement Authority. Thank you.

2 MR. HERBERT: And, Madam Chair, Vice
3 Chair Cimino spoke about this, and I felt
4 that was the appropriate action to take.

5 CHAIRWOMAN WALTER: I would always
6 rather be safe than sorry.

7 And with that, I will turn the floor
8 over to Mr. Miller to begin the public
9 hearing.

10 MR. MILLER: Thank you, Madam Chair.
11 First off, thank you for having us. And
12 the last time I was here I didn't need
13 glasses to see everybody. So it's nice to
14 see everybody's faces. So I'm going to
15 take them off so I can read.

16 I'm here with Al Collins, who is the
17 Executive Deputy Director of the Mercer
18 County Improvement Authority. My name, as
19 you know, is Bill Miller. I'm the
20 Executive Director of the Mercer County
21 Improvement Authority.

22 The Chair did request that I maybe
23 give a little brief overview, especially
24 for maybe some of the new members, of just
25 solid waste. And it will roll into

1 recycling a little bit, so if you can just
2 bear with me. Before we get to the actual
3 amendment, I think it's important to give
4 this overview.

5 In 1982 the Mercer County Board of
6 Chosen Freeholders then, better known now
7 as the Board of Commissioners, designated
8 the Mercer County Improvement Authority as
9 the implementing agency of the Mercer
10 County District Solid Waste Management
11 Plan. MCI's role in implementing that as
12 an agency includes, among other things,
13 the oversight and responsibilities of the
14 disposal of all solid waste generated
15 within the geographical boundaries of
16 Mercer County.

17 Every year Mercer County residents
18 and businesses generate about 250,000 tons
19 of solid waste. We operate the transfer
20 station in Ewing Township six days a week
21 to handle all that waste. Much of this
22 waste can be harmful for the environment
23 if it's not disposed of properly. So the
24 Authority ensures the waste gets managed
25 in an environmentally sound and efficient

1 manner.

2 Talking about the transfer station,
3 as I said, it's in Ewing. This is where
4 we process all this waste. The Authority
5 contracts out for such disposal services,
6 including the operation of the transfer
7 station, transportation of the solid waste
8 from the transfer station to a disposal
9 facility. And currently these services
10 are provided by Waste Management and they
11 take the waste to either Falls Township or
12 Tullytown, Pennsylvania, which is about
13 eight miles across the river.

14 The contracting process is a lengthy
15 one. We started this back in November of
16 2022 where we prepared the specifications,
17 we then needed to send it to the state
18 comptroller's office, who they review the
19 entire specifications.

20 What they're looking for is to make
21 sure that we are complying with all the
22 local public contracting laws as well as
23 bidding it in a nondiscriminatory, open
24 process.

25 And in accordance with the statewide

1 Solid Waste Management Act, the award of
2 the new contract for solid waste disposal
3 is required to be included in the county
4 plan. This would include holding a public
5 hearing, which we're doing today, adoption
6 of a county ordinance, and certification
7 of the county plan amendment by the New
8 Jersey Department of Environmental
9 Protection. This is the process we're
10 doing tonight, and after the plan
11 amendment, we're required to then submit
12 it to DEP, as I said.

13 Finally, after DEP reviews it, to
14 ensure the bid was done in a
15 nondiscriminatory process and that we're
16 in compliance with our solid waste permit,
17 they take 150 days to do so, which is five
18 months. So that's why we're starting now.

19 Our contract currently goes
20 through -- and we'll get to that when we
21 get to the amendment. But there's a
22 component of the solid waste management
23 plan, and the Chair did ask if I would
24 talk about recycling.

25 So one component of the plan is our

1 recycling plan. All municipalities in
2 Mercer County have adopted local
3 ordinances that adopt the principals of
4 the county's recycling plan. This plan
5 applies to all commercial establishments
6 and residents. Currently, as a shared
7 service, the Authority does provide and
8 continue to facilitate the countywide
9 curbside collection program in nine of the
10 12 municipalities.

11 Mercer County's recycling program is
12 consistent with other statewide and
13 national programs in that the material
14 that we had designated for recycling is
15 actually being recycled.

16 Currently, there is over 20
17 processing centers in New Jersey that
18 accept and sort curbside -- commingled
19 curbside recycling -- commingled meaning
20 everything in one bucket -- for various
21 recycling markets. And these facilities
22 typically designate for sorting out the
23 PET No. 1s and No. 2s, as you all know,
24 from the incoming mix.

25 However, there's a few that do sort

1 out the No. 5s. Everybody wants to know
2 why aren't we doing No. 5. Some people do
3 classify it and say we are recycling
4 No. 5s. We have yet to find an end market
5 for No. 5s. We have one facility that we
6 actually visited not too long ago, it's in
7 Tinton Falls, and has a recycling, and
8 they do sort out the No. 5s, but we
9 haven't really identified that end market.

10 So we haven't designated No. 5s
11 because there is no end market and we
12 don't want to make a designation of a
13 recyclable material until we're assured
14 it's going to actually be recycled and not
15 just disposed of in the landfill. So
16 that's always been the big question, and
17 since we haven't confirmed that end
18 market, we won't designate it.

19 We don't reject loads if there is
20 No. 5s in there. If you've seen any of
21 the fliers we've put out, we try to push
22 out a lot of information that talks about
23 what's recyclable and what's not
24 recyclable. Pizza boxes, no. No. 5s,
25 technically no. But we want to make sure,

1 again, that there's a long-term
2 sustainable market for these materials.

3 Overall, to give you an idea of the
4 latest data, Mercer County's total waste
5 recycling rate is 61 percent. The state
6 goal is 60 percent, so we beat that. For
7 the municipal solid waste stream, our rate
8 is 44 percent, the state goal is 50
9 percent. However, statewide averages are
10 both 56 and 38, respectably. So we're
11 above the state average in that case.

12 About 85 to 90 percent of our
13 curbside material does get recycled.
14 People always say, what about the
15 contaminants that are in the buckets
16 because we do get a lot of contaminants.

17 I'm pleased to report that we just
18 recently, probably two months ago, just
19 had our contractor give us an audit over a
20 two-week period and we've determined that
21 about 9 percent of the material in the
22 bucket is contaminated. That ends up in
23 the landfill. That is a phenomenal
24 number.

25 I'll tell you, when we tried to see

1 what other counties were doing, they were
2 about 18 to 24 percent in contamination.
3 So if we're sitting at 9 and we can hold
4 that, we're going to be quite happy.

5 I'll take any questions just in
6 that -- it was a brief overview. I didn't
7 really want to get too into the weeds.
8 The Chair did say, like, kind of keep it
9 up here, not into the weeds. But I'm
10 happy to take any other questions before
11 we roll into the plan.

12 CHAIRWOMAN WALTER: Is there anyone
13 who has any questions on what you heard or
14 just a general question about solid waste
15 or recycling?

16 COMMISSIONER LEWIS: I'm just
17 curious. Have you investigated what the
18 impact would be if you started to separate
19 out food waste and put that into a
20 processing plant for that?

21 MR. MILLER: So food waste is -- I
22 don't want to say it's a low-hanging
23 fruit, it's a big-hanging fruit. Food
24 waste right now represents about 30
25 percent of our waste stream.

1 There's been multiple programs --
2 the Lawrence Township commissioner, I
3 think in Lawrence Township, there was one
4 in Princeton. It's been hard to get food
5 waste overall across the board as a
6 recycling program. It just hasn't picked
7 up steam.

8 There is a bill pending in the
9 legislature right now that's going to be
10 pushed to DEP to promulgate some rules
11 with regard to how to handle the food
12 waste. And I'm expecting -- we'll
13 probably be back here in another year to
14 do a full plan amendment to adopt those
15 rules within our recycling plan.

16 I will also tell you, for the
17 longer-term commissioners, I don't want to
18 say older, the other commissioners --

19 CHAIRWOMAN WALTER: That's okay.
20 Older is accurate also.

21 MR. MILLER: We have the benefit
22 here in Mercer County of having a facility
23 that will recycle -- is currently
24 recycling all these organics now. There's
25 only two that I know of, might be three

1 now, but two in the state, one in Newark
2 and one here, they're at capacity actually
3 handling -- because there was a bill
4 passed for large-scale food waste
5 generators to take it within X-number of
6 miles to a location. We have one here in
7 Mercer County, and it's the old sledge
8 plant, if you recall.

9 Commissioners, when we approve that
10 in the plan, they're up and running,
11 they're at capacity, they're looking to
12 expand. So that is something that we have
13 looked at to say, okay, how can we work
14 now with this Mercer County location
15 because we do have a location where we can
16 take food waste.

17 So I would say in the next year or
18 two we're going to start to see more
19 happening on the food waste line.

20 COMMISSIONER LEWIS: Could you share
21 tomorrow or next week the bill number?
22 Just because I'd like to take a look at
23 it.

24 MR. MILLER: Do you have it? I just
25 sent it to Al the other day. It's

1 interesting.

2 COMMISSIONER LEWIS: Thank you.

3 CHAIRWOMAN WALTER: Any other
4 questions?

5 COMMISSIONER McLAUGHLIN: Do you
6 know anything about the trial food waste
7 processing -- I don't want to say plant
8 because it was small scale -- up in
9 Hopewell that got started? Is that moving
10 forward? What's going on with that?

11 MR. MILLER: It's an RD&D project.
12 We did approve it as an RD&D project.
13 They're doing well. I don't know --

14 Do you have the latest update from
15 the Hopewell site? The last projections
16 that we did --

17 MR. COLLINS: There was no activity
18 going on there.

19 COMMISSIONER McLAUGHLIN: Okay.

20 MR. COLLINS: And they were looking
21 at very small generators, in particular
22 probably the owner of the farm that lives
23 there, they were processing some of his
24 waste, too.

25 COMMISSIONER McLAUGHLIN: Right.

1 CHAIRWOMAN WALTER: Mr. Collins, I'm
2 going to ask you to move a little closer
3 to that mic so it picks you up.

4 MR. COLLINS: That's all I had to
5 say.

6 CHAIRWOMAN WALTER: Okay.

7 MR. MILLER: And the benefit of that
8 particular RDD -- or research,
9 development, and design study, was to
10 create these local pods, if you will, to
11 recycle within a community.

12 So rather than having to haul the
13 food waste somewhere else and put it in
14 windrows -- we had visited, over the
15 course of the past decade or so, multiple
16 sites that were processing food waste.
17 And most of them have shut down because
18 there's a lot of odor. And we went to one
19 that we thought was state of the art with
20 Gor-Tex coverings and all of that down in
21 Delaware, and that's since long gone.

22 But, again, if you do an anaerobic
23 digesting process, there's really no
24 discharge. And I think that's where
25 you're going to start to see a lot of this

1 stuff happening. And as I said, Waste
2 Management has one in Newark, I believe,
3 and the one in Trenton, actually, is right
4 near the Trenton sewer facility down at
5 Duck Island.

6 COMMISSIONER McLAUGHLIN: Okay.

7 CHAIRWOMAN WALTER: Any other
8 questions?

9 (No response.)

10 CHAIRWOMAN WALTER: Seeing none,
11 let's move on.

12 MR. MILLER: All right. I'm going
13 to keep rolling then. Let's get to the
14 actual plan amendment. I'm going to read
15 some of the information into the record.
16 You do have full packages in front of you.
17 So if you can just bear with me and let me
18 put some of this into the record.

19 On December 6, 2022, the Mercer
20 County Improvement Authority initiated a
21 nondiscriminatory procurement process for
22 the solicitation of bids for the provision
23 of the solid waste transfer,
24 transportation, and disposal services.

25 The bidding process resulted in one

1 bid being received on February 7, 2023,
2 from Waste Management New Jersey, who is
3 currently providing those services for us.
4 The MCIA team and our consultants reviewed
5 the bids and an award was made on
6 February 14.

7 The contract was then reviewed by
8 solid waste -- the solid waste committee,
9 SWAC. SWAC recommended the plan to be
10 amended to include this solid waste
11 contract into the Mercer County plan. So
12 awarded, now it needs to be included into
13 the plan.

14 The contract would commence on
15 November 1, 2023, when the existing
16 contract does expire. The terms of the
17 contract was three years with two one-year
18 options. All the pricing was outlined in
19 the amendment.

20 There were increases that were
21 included in the proposed prices, and
22 these price increases can be attributed
23 to -- and I'm going to detail a few of
24 them, I'm sure most of you already know --
25 but rising fuel costs, labor, equipment

1 shortages, and overall inflationary
2 impacts on the economy.

3 I'll tell you a couple of details on
4 that. Just equipment and parts for
5 equipment are about a one-year lead time
6 right now for garbage trucks, any parts
7 for garbage trucks. And this has been
8 going on for the past couple of years,
9 pretty much right after COVID. It's
10 actually been lagging after COVID.
11 Locally, a lot of municipalities,
12 statewide even, have started to see sharp
13 increases in their solid waste collection
14 costs. So when they're going to do
15 contracts with these companies, they're
16 seeing similar kinds of increases.

17 Our project team, which includes our
18 staff, legal counsel, and our consultants,
19 which are here today, if you have any
20 questions for them, we did review the
21 waste management bid submission, and as
22 noted above, found no material
23 deficiencies in the bid, and it was fully
24 compliant with the requirements of the
25 local public contracts law.

1 So pursuant -- as I said, pursuant
2 to the Solid Waste Management Act, any
3 contracts for solid waste disposal
4 services must be included into the
5 respective county solid waste management
6 plan. And this would require a formal
7 adoption of an ordinance adopting the
8 amendment to the county plan by the Board
9 of Commissioners.

10 The county plan amended package and
11 ordinance for approval was submitted for
12 your consideration. Pursuant to the Act,
13 a public hearing must be conducted to
14 allow for presentation of the contract and
15 to receive input from the public as well
16 as the commissioners.

17 I'd be happy to take any questions.
18 I have a pile of back-up information.
19 Hopefully we can answer any question you
20 should have.

21 CHAIRWOMAN WALTER: For the public
22 record, I just want to go over, if you
23 could tell me if I am wrong.

24 Year one, you're looking at a total
25 cost per ton of \$99.52; is that correct?

1 MR. MILLER: That is correct.

2 CHAIRWOMAN WALTER: Year two,
3 \$104.50?

4 MR. MILLER: Correct.

5 CHAIRWOMAN WALTER: Year three,
6 \$109.72?

7 MR. MILLER: Correct.

8 CHAIRWOMAN WALTER: And then it has
9 two option years. Option year four is at
10 \$117.40, and option year five at \$125.62?

11 MR. MILLER: Correct.

12 CHAIRWOMAN WALTER: So we are
13 looking at essentially three years with a
14 two-year option to renew each of those two
15 years?

16 MR. MILLER: Correct.

17 CHAIRWOMAN WALTER: Also, I know in
18 the back-up there was some discussion of
19 whether we should be going out to look for
20 other companies, maybe at an earlier time
21 or whatever, because we have been with
22 this one company for a period of time, and
23 that there was some discussion.

24 Could you just --

25 MR. MILLER: I would love to.

1 CHAIRWOMAN WALTER: -- address that?

2 MR. MILLER: So for those that were
3 here, if you recall, one of the major
4 competitors did submit a bid, I would say,
5 the second round ago. We did reach out
6 after this bid -- we reached out before
7 and also after this bid and inquired why
8 didn't they bid on this particular
9 contract? The short answer was capacity.

10 So this was a landfill further away.
11 If you recall, it's out in Pennsylvania, a
12 lot further away, but it did not have
13 capacity at this time. So their capacity
14 at the time -- I believe right now they're
15 at a ten-year capacity. If they would
16 include our contract, it would reduce them
17 to, like, a two-year capacity.

18 So they opted not to bid, in
19 addition to all the inflationary cost
20 issues that they would have to incur,
21 getting trucks, being able to pick up this
22 additional contract.

23 So one of the things that we will
24 look -- and when I say at this time that's
25 their capacity, they are applying and

1 filing to expand capacity into the future.
2 So one of the things that we will be on
3 top of over the course of the next three
4 years, because we have a three-year with
5 two one-year options, to see where that's
6 progressing.

7 We potentially could be back in
8 three years with a new bid out on the
9 street. If we see that there might be an
10 opportunity to do better, then we'd go
11 through that process. We'd be back here
12 in front of you. And we'd almost have to
13 start that process 12 months from now.

14 Our staff even said, if we're going
15 to do that, we're going to really start
16 that tomorrow because it takes that long
17 to get there. But that's something
18 certainly in our consideration. And,
19 again, it's -- I don't want to mention a
20 name, but it's a major firm that's not too
21 far away.

22 CHAIRWOMAN WALTER: Any other
23 questions?

24 (No response.)

25 CHAIRWOMAN WALTER: Seeing none from

1 the Board, our process here then is we are
2 formally open as a public hearing.

3 I do have to take questions; am I
4 correct?

5 MR. HERBERT: You are correct.

6 CHAIRWOMAN WALTER: So at this point
7 we do have an open public hearing. If
8 there is anyone wishing to address
9 the Board on this particular topic, at
10 this point you can come up, give your name
11 and address for the record. We do have a
12 court stenographer taking down, so I just
13 remind you to speak slowly.

14 MS. MARTIN: I do speak really fast.
15 You must remember that. My name is Linda
16 Martin. I live in Robbinsville.

17 And I'm only questioning the pizza
18 boxes. So we have so many beautiful
19 amazing pizza places in this area, and I
20 can only imagine how many boxes there are.
21 So very curiously, is there any intent to
22 kind of just modify the way the pizza
23 boxes are designed that you may be able to
24 be recycled? Because I actually see the
25 pizza boxes in the recycling and I know

1 they're not supposed to be there. So I'm
2 just curious about that because that
3 struck me. Thank you. That's all I have.

4 MR. MILLER: We're all going to have
5 the same answer, so...

6 CHAIRWOMAN WALTER: Al, just for the
7 record, just state your name, please.

8 MR. COLLINS: Al Collins, Mercer
9 County Improvement Authority.

10 It's not necessarily the composition
11 of the pizza box, it's the fact that it's
12 contaminated with grease, pizza grease,
13 and things like that, which really causes
14 a problem for us. It causes a problem
15 with the quality of the paper and the
16 quality of the cardboard. So that's why
17 we don't accept the pizza boxes because
18 they're predominantly stained with grease.

19 CHAIRWOMAN WALTER: So I guess
20 that's the answer.

21 COMMISSIONER McLAUGHLIN: As I
22 understood it, and please correct me if
23 I'm wrong, we had a presentation at the
24 township when I was there, and generally
25 the end product, the recycled product, was

1 wallboard and people's houses would smell
2 like pizza when it got warm.

3 So when you framed it like that, all
4 of a sudden it was much more easy for
5 folks to imagine they didn't want pizza
6 boxes being recycled because nobody needs
7 their house to smell continually like
8 pizza.

9 COMMISSIONER LEWIS: And I'll just
10 add to that. It goes to my food waste
11 question because in Lawrence, which is the
12 only place that you can do curbside food
13 waste recycling in the state, we do take
14 pizza boxes, and that's why. So we'll get
15 there one day, maybe.

16 MR. MILLER: And just for the
17 record, I would encourage everybody to
18 compost at home. And, you know, you can
19 get really inexpensive composting bins.
20 It's very simple to do. It doesn't
21 attract varmints, and it's good for your
22 garden. So public announcement.

23 CHAIRWOMAN WALTER: Anyone else
24 wishing to speak on this matter? Anyone
25 else wishing to speak on this matter?

1 (No response.)

2 CHAIRWOMAN WALTER: Seeing no one, I
3 believe we are ready to close the public
4 hearing; am I correct?

5 MR. MILLER: (Nods head up and
6 down.)

7 CHAIRWOMAN WALTER: So then we will
8 close the public hearing on the Ordinance
9 Amending the Mercer County District Solid
10 Waste Management Plan to Include a Solid
11 Waste Disposal Services Agreement to
12 Provide For Transfer, Transportation, and
13 Disposal of Acceptable Waste By and
14 Between the Mercer County Improvement
15 Authority and Waste Management of New
16 Jersey, Inc.

17 The public hearing is now closed.

18

19

20 (Proceedings adjourned at 6:25 p.m.)

21

22

23

24

25

C E R T I F I C A T I O N

I, LAURA P. REAM, being a Certified Court Reporter and Notary Public within and for the State of New Jersey, do hereby certify that the foregoing is a true and correct transcript of the proceedings.

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