SPECIAL MEETING
OF THE SALEM COUNTY IMPROVEMENT AUTHORITY
SOLID WASTE DIVISION CONFERENCE ROOM
52 McKillip Road, Alloway, NJ
Thursday, April 21, 2016 @ 3:30 pm

Chairman Widdifield called the meeting to order at 3:30 pm and read the Open Public Meetings Act statement.

Pledge of Allegiance was recited by all present

ROLL CALL
Schneider, Lewis      Present
Bestwick, Susan      Present
Widdifield, Robert   Present
Williams, Paul       Absent
Taylor, Cordy        Present

Resolution 2016-41 to adjourn the public portion of the meeting and move to Executive Session (M) L. Schneider (S) S. Bestwick to adopt the resolution to adjourn the public portion of the meeting and move to Executive Session. The resolution was adopted by voice vote 4-0.

Executive Session is required by law to be confidential. This is defined as any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

The public portion of the meeting was adjourned at 3:35 pm and the Board moved to Executive Session.

Chairman Widdifield reopened the public portion of the meeting at 4:09 pm.

NEW BUSINESS

Resolution 2016-42 to reject all bids received for Cell 11 construction and requiring re-bidding (M) L. Schneider (S) C. Taylor

Solicitor Chetney wanted to make it clear for the record that SCIA has received challenges to the bid and potential award prior to today’s meeting from Wyndham Construction Company and C. Abbonizio Contractors, Inc. She asked if the Board has received and reviewed both of those challenges. Chairman Widdifield acknowledged receipt and review. As a result of those challenges, the Board authorized Ms. Chetney to review the matter and to also look at the totality of the five bids that were submitted. Ms. Chetney advised the Board that the results of her analysis showed that C. Abbonizio Contractors, Inc. was in fact the only bidder to provide a certified financial statement as required by the bid specifications. One bidder provided a financial statement that was not signed, and no other bidder provided a certified financial statement.
Solicitor Chetney advised that in closed session she met with the Board and discussed the alternatives. The Board is aware that Wyndham Construction Company, the low bidder in this case has asserted that the bid documents provided to all bidders were unclear or not sufficiently clear and that resulted in a failure to comply with the bid specifications. The Board has also determined that the difference between the low bid and lowest responsive bid is $236,020 and the Board has found this is a significant substantial difference in the bids.

Ms. Chetney has advised the Board of the standards and legal requirements for rejecting all bids and re-bidding. The resolution rejecting all bids and requiring re-bidding sets forth the reasons why the Board has made the decision to take this action. Solicitor Chetney asked the Board if this was correct. Chairman Widdifield advised in the affirmative.

Solicitor Chetney noted she wanted this on the record due to the potential for litigation and the knowledge that a court may be reviewing the decision in the future.

Chairman Widdifield asked if there was any further discussion. Hearing none, he asked for a vote. Resolution 2016-42 to reject all bids received for Cell 11 construction and requiring re-bidding was adopted by voice vote 4-0.

**Resolution 2016-43** acknowledging the findings of the Local Finance Board’s resolutions dated March 9, 2016. (M) S. Bestwick (S) C. Taylor to acknowledge the findings of the Local Finance Board’s resolutions dated March 9, 2016.

Solicitor Chetney advised this resolution was provided by bond counsel today and questioned if the Board needed to take action on it if the Board was going to rebid. Chairman Widdifield suggested the Board call bond counsel, John Cantalupo, Esquire.

Executive Director Sparks called Mr. Cantalupo and advised him the Board has rejected all bids for the Cell 11 construction and asked if it was necessary for the Board to go forward with the Local Finance Board resolution. Mr. Cantalupo advised the Board should go forward with the resolution because the Board is still going to do the cell construction and this is an administrative action required by the Local Finance Board to certify that each commissioner has received and reviewed its findings.

Chairman Widdifield indicated he would like a roll call vote.

A roll call vote to acknowledge the findings of the Local Finance Board’s resolutions dated March 9, 2016 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Moved</th>
<th>2nd</th>
<th>Yes</th>
<th>No</th>
<th>Absent</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widdifield</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bestwick</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schneider</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Williams</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taylor</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The resolution acknowledging the findings of the Local Finance Board’s resolutions dated March 9, 2016 was approved by roll call vote 4-0.
CORRESPONDENCE

Email from Adam Telsey, Esquire to Melinda Williams praising the landfill employees for the courteous and helpful way they handled his dilemma when his truck died while he was at the landfill.

PUBLIC COMMENT

No members of the public spoke during the meeting.

Chairman Widdifield asked if there was any other business for the Authority. Hearing none, Chairman Widdifield adjourned the meeting at 4:20 pm.

Respectfully submitted,

Diane B. Plymale
Recording Secretary

SCIA/April 2016 special minutes