

**RESOLUTION OF THE HUDSON COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING AN EXTENSION OF THE CURRENT CONTRACT WITH  
ADVANCED ENTERPRISES RECYCLING, INC. FOR THE PROVISION OF  
SOLID WASTE DISPOSAL SERVICES**

**WHEREAS**, the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. (“Act”), designated each of the twenty-one (21) counties in the State of New Jersey, and the Hackensack Meadowlands District, as solid waste management districts, and required each such district to adopt a solid waste management plan; and

**WHEREAS**, the Board of Chosen Freeholders of the County of Hudson (“County”) has designated the Hudson County Improvement Authority (“Authority”) as the implementing agency for the Hudson County Solid Waste Management Plan (“County Plan”) and the Authority has been charged with implementing, updating and amending the aforesaid Plan from time to time; and

**WHEREAS**, in accordance with the Act and regulations promulgated thereunder, the Authority developed, implemented and financed the existing Hudson County Solid Waste Management System (“County System”) as included in the Plan, premised upon regulatory waste flow control requiring all solid waste generated within the County to be delivered to the County System for disposal; and

**WHEREAS**, Solid Waste Types 10 and 25 (“Processible Waste”) generated within the County and collected either by a municipality or pursuant to municipal contract are currently required by the County Plan to be delivered to the Advanced Enterprises Recycling, Inc. (“AERI”) materials recovery facility and transfer station in Newark, New Jersey, where such waste is transferred on to rail cars for delivery to out-of-state landfills for disposal; and

**WHEREAS**, in anticipation of the expiration of the current contract with AERI on July 1, 2014, the Authority issued Bid Specifications on August 27, 2013 for the provision of solid waste disposal services for all or a portion of Processible Waste (or a portion thereof, but not less than 50,000 tons annually) generated within the County; and

**WHEREAS**, in response to the Bid Specifications and Addendum, the Authority received two bids for Processible Waste disposal services from AERI and I.W.S. Transfer Systems of NJ, Inc.; and

**WHEREAS**, on November 13, 2013, pursuant to duly adopted resolution, the Authority awarded a contract to AERI to provide disposal services of all Processible Waste generated within the County; and

**WHEREAS**, the Authority prepared a Plan Amendment, providing for implementation of solid waste disposal services memorialized in an Agreement to Provide Solid Waste Disposal Services for Processible Waste (“Agreement”) with AERI, and recommended to the County the adoption of an amendment to the County Plan to incorporate the Agreement as part of the County System; and

**WHEREAS**, the proposed amendment to the County Plan was adopted by the County and forwarded to the New Jersey Department of Environmental Protection (“NJDEP”) for review and approval, and a copy of the fully executed Agreement was sent to NJDEP for review and approval in accordance with the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.; and

**WHEREAS**, the Agreement provides that solid waste disposal services thereunder shall not commence until receipt of all regulatory approvals; and

**WHEREAS**, in order to provide for the continuous and uninterrupted provision of solid waste disposal services by AERI until such time as all regulatory approvals of the Agreement and Plan Amendment are received, it is necessary to extend the term of the existing contract with AERI; and

**WHEREAS**, the extension of the term of the existing contract with AERI is necessary for the efficient operations of the Authority and the County System, and to ensure the continued availability of safe, adequate and proper solid waste disposal services to the citizens of the County at a reasonable market price;

**NOW, THEREFORE, BE IT RESOLVED BY THE HUDSON COUNTY IMPROVEMENT AUTHORITY**, as follows:

1. That the aforesaid recitals are incorporated herein as if fully set forth at length.
2. The term of the current contract with AERI for solid waste disposal services is hereby extended until such time as all regulatory approvals from NJDEP for the Agreement and Plan Amendment are received.
3. Special Counsel is hereby authorized to prepare a formal extension of the current agreement for solid waste disposal services, and the Chief Executive Officer is hereby authorized and directed to execute such extension.
4. Copies of this Resolution and contract extension shall be available for public inspection in the offices of the Clerk of the County of Hudson, and at the offices of the Authority at 830 Bergen Avenue, Ninth Floor, Jersey City, New Jersey.

5. This Resolution shall take effect immediately.

**RECORDED VOTE:**

	YES	NO	ABSTAIN	NOT PRESENT
Fred M. Bado				X
Oren K. Dabney, Sr.				X
James P. Doran, ED.D.				X
Stephen J. Gallo	X			
Frank Lorenzo	X			
Martin T. Martinetti				X
John A. Peneda	X			
Frank Pestana	X			
John L. Shinnick	X			

The foregoing is a true and complete copy of a resolution of the Hudson County Improvement Authority adopted at a meeting thereof duly called and held on Tuesday, July 1, 2014.



**CARMEN LOZANO, ASSISTANT SECRETARY  
(SEAL)**