



**BOROUGH OF EDGEWATER
RESOLUTION**

COUNCILPERSON	YES	NO	ABSTAIN	ABSENT
GUTIERREZ				
LAWLOR				
MONTE				
VIDAL				
MARTIN				
BARTOLOMEO				
MAYOR				

DATE: September 16, 2024

RESOLUTION No. 2024-246

INTRODUCED BY: _____

SECOND BY: _____

Assignment of Solid Waste Collection Contract

WHEREAS, on May 17, 2021 by resolution 2021-125, the Borough of Edgewater authorized the receipt of bids for solid waste collection services within the Borough of Edgewater; and

WHEREAS, on November 15, 2021 by way of resolution 2021-270, the Borough of Edgewater Mayor and Council rejected the single bid by Joseph Smentkowski Carting, Inc. and authorized a re-bid; and

WHEREAS, on February 16, 2022, bids were again received as part of the authorized re-bid for solid waste collection yielding the same results as the November 10, 2021 bid opening; and

WHEREAS, Joseph Smentkowski Carting, Inc. again was the single bid at the same amount of the November 10, 2021 bid of \$1,544,400; and

WHEREAS, the re-bid price substantially exceeds the Borough of Edgewater’s cost estimates as well as exceeds the appropriation for solid waste collection as per N.J.S.A. 40A:11-3.2 of the Local Public Contracts Law; and

WHEREAS, Resolution 2022-083 adopted on March 21, 2022 authorized negotiation with Joseph Smentkowski Carting, Inc., the single and only bidder for solid waste collection; and

WHEREAS, Resolution 2022-085 adopted on March 21, 2022 awarded a five (5) year collection contract as a result of successful negotiation; and

WHEREAS, on July 25, 2024, the Borough of Edgewater was noticed that an application was made to the New Jersey Department of Environmental Protection as per N.J.A.C. 7:26H-3.2 for the purchase and acquisition of Joseph Smentkowski Inc. trading as Galaxy Carting by Affordable Cartage LLC and Top Gear Trucking LLC; and

WHEREAS, the New Jersey Department of Environmental Protection approved the referenced assignment by Solid Waste Order Docket No. MA2024-006 as per N.J.S.A. 40A:11-3.2.

NOW THEREFORE BE IT RESOLVED, that the Borough of Edgewater Mayor and Council do hereby approve and authorize the assignment of assets of Joseph Smentkowski Inc. trading as Galaxy Carting whom the Borough of Edgewater awarded an existing contract to Affordable Cartage LLC and Top Gear Trucking LLC.

I hereby certify that the above Resolution was adopted by the Mayor and Council on September 16, 2024.

Michael J. McPartland - Mayor

Stephanie Evans - RMC
Borough Clerk