

**PLAINFIELD MUNICIPAL UTILITIES AUTHORITY**

**Minutes of a Board of Commissioners Regular Meeting  
Tuesday, June 14, 2011**

**127 Roosevelt Avenue  
Plainfield, New Jersey**

**I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)**

Commissioner Mitchell, Chairperson, called the meeting to order at 6:00 p.m. by reading the Statement of Compliance.

**II. SALUTE TO THE FLAG**

The Pledge of Allegiance was said by all.

**III ROLL CALL**

**Present**

Commissioner Harold Mitchell  
Commissioner Carol Ann Brokaw  
Commissioner Tracey Brown  
Commissioner Alex Toliver  
Alt. Commissioner Eugene Dudley @6:11 pm

**Also Present**

Mr. Eric Watson, Executive Director  
Mr. David Ervin, Assistant Executive Director  
Mr. James Perry, Chief Financial Officer  
Mr. Duane Young, Comptroller  
Mrs. Lana Carden, Manager of Human Resources  
Ms. Leslie London, Board Attorney  
Mrs. Roslyn Mathis, Board Secretary  
Mr. Ben Arata, T & M Associates  
Mr. Mike Dziubeck, CME Associates  
Staff and Public

**IV. APPROVAL OF MINUTES (5/10/2011 Meeting Minutes and June 1, 2011 Special Meeting)**

Commissioner Mitchell called for a motion to accept the minutes. Commissioner Brokaw moved that the minutes be accepted as submitted, seconded by Commissioner Brown. The motion carried, on a roll-call vote, with four members in favor and none opposed.

**RECORDED VOTE****May 10, 2011 Regular Meeting Minutes  
and June 1, 2011 Special Meeting Minutes**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT<br/>VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|-------------------------------|--------------------|
| Carol Ann Brokaw                         | X          |           |                |                               |                    |
| Rev. Tracey Brown                        | X          |           |                |                               |                    |
| Harold Mitchell                          | X          |           |                |                               |                    |
| Alex Toliver                             | X          |           |                |                               |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley |            |           |                |                               | X                  |

**V. COMMUNICATIONS**

Mr. Watson stated that they had communications from the Facilities Committee, Mr. Reed, as well as a report from Millennium regarding the Spanish Outreach Program; both of those reports are being generated in detail and they will be provided to each of the Commissioners for the July meeting.

**VI. REPORT OF COMMITTEES**

None.

**VII. EXECUTIVE DIRECTOR'S REPORT****A. Attorney's Report**

Ms. London said they have a resolution that needs to be adopted involving RDK Municipal Truck Center, Inc. Back in 2008, the Authority had authorized a lease with this company for five trucks for a 24-month period. There was a need to go beyond the 24 months due to some title issues and other things. Once the trucks were ready to go back to the company, they were inspected by RDK and there were some issues raised whether some items identified by RDK were normal wear and tear and whose responsibility it was to correct them. It was the Authority's position that most of the items were normal wear and tear and the Authority didn't have to compensate them, but there were some other minor issues that would have been the Authority's responsibility. They have been back and forth with the company for weeks trying to resolve the issues and the trucks are finally going to be removed by RDK. They negotiated a one-month additional payment to the company, which was approximately \$21,000 and an additional \$5,000 to compensate RDK for some of the various outstanding issues. To proceed with this further and not settle, would result in litigation, which would be very costly. The agreed payment was deemed to be a fair settlement at \$26,938. Ms. London had a resolution to authorize payment of that amount to the company. The company will be picking up all of the trucks by the end of this week. The Authority will receive a general release of all claims from RDK.

Commissioner Brokaw asked how the surrender of these trucks impacts on the Authority's operation. Mr. Watson replied that they have four other trucks on site. They also have bids going out for trucks.

Ms. London presented **resolution #43-2011 authorizing additional lease payment to RDK Municipal Truck Center for lease of trucks.** Commissioner Brokaw moved, seconded by Commissioner Toliver, approval of the resolution. The motion carried, with four members in favor and none opposed.

**RECORDED VOTE****Resolution #43-2011 Lease Payment to RDK**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|---------------------------|--------------------|
| Carol Ann Brokaw                         | <b>X</b>   |           |                |                           |                    |
| Rev. Tracey Brown                        | <b>X</b>   |           |                |                           |                    |
| Harold Mitchell                          | <b>X</b>   |           |                |                           |                    |
| Alex Toliver                             | <b>X</b>   |           |                |                           |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley |            |           |                |                           | <b>X</b>           |

**B. Finance Report and Bills List Approval**

Mr. Perry summarized certain expenses; salaries and wages, \$895,000; PARSA, \$717,000; health benefits, \$194,000; and disposal fees \$147,000; this is about 82 percent of their total expenses and necessary for doing their jobs both on the salary side and sewer and solid waste side.

There were no changes in the bills list since the committee meeting, but he would be happy to answer any additional questions they may have.

Commissioner Brokaw said at the committee meeting they noticed some of the bills were duplicated. The explanation was they were for different months; has that been corrected on the bills list. Mr. Perry replied that it will be on the next one. It hasn't yet, but it's in the minutes now.

Mr. Watson stated that for the next meeting there will be an asterisk telling them what's going on.

Commissioner Toliver stated that on the second page there is a Tracee Joseph and a Trace Joseph; he wanted to know if they are the same person. Mr. Watson replied yes, that is one person. That's their in-house attorney and it is spelled with two e's. That will be corrected.

Ms. London presented **resolution #44-2011 authorizing payment of bills.** Commissioner Brokaw moved, seconded by Commissioner Brown approval of the resolution. The motion carried, on a roll-call vote, with four members in favor and none opposed.

**RECORDED VOTE Resolution #44-2011 Payment of Bills**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|---------------------------|--------------------|
| Carol Ann Brokaw                         | X          |           |                |                           |                    |
| Rev. Tracey Brown                        | X          |           |                |                           |                    |
| Harold Mitchell                          | X          |           |                |                           |                    |
| Alex Toliver                             | X          |           |                |                           |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley |            |           |                |                           | X                  |

**C. Resolution authorizing renewal of a contract for PMUA employee dental Health Benefits coverage**

Mr. Ervin said this is an administrative renewal of the two-year contract. They can't do more than a one year contract under pay to play; this is just a reauthorization of the contract for this year.

Ms. London presented **resolution #45-2011 authorizing a contract with Horizon Blue Cross Blue Shield for dental benefits.**

(Commissioner Dudley arrived here at 6:11 p.m.)

Commissioner Toliver moved, seconded by Commissioner Brokaw, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE Resolution #45-2011 Horizon Blue Cross Blue Shield Dental**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|---------------------------|--------------------|
| Carol Ann Brokaw                         | X          |           |                |                           |                    |
| Rev. Tracey Brown                        | X          |           |                |                           |                    |
| Harold Mitchell                          | X          |           |                |                           |                    |
| Alex Toliver                             | X          |           |                |                           |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley | X          |           |                |                           |                    |

**D. Resolution authorizing renewal of a contract for PMUA employee Vision Benefits coverage**

Mr. Ervin stated this resolution is similar to item C. He failed to indicate with the other one that there is no charge from last year to this year.

Ms. London presented **resolution #46-2011 authorizing a contract with VSP Insurance Company for employee vision coverage.**

Alt. Commissioner Dudley moved, seconded by Commissioner Toliver, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE**

**Resolution #46-2011 VSP Insurance Company Vision Coverage**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|---------------------------|--------------------|
| Carol Ann Brokaw                         | <b>X</b>   |           |                |                           |                    |
| Rev. Tracey Brown                        | <b>X</b>   |           |                |                           |                    |
| Harold Mitchell                          | <b>X</b>   |           |                |                           |                    |
| Alex Toliver                             | <b>X</b>   |           |                |                           |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley | <b>X</b>   |           |                |                           |                    |

**VIII. UNFINISHED BUSINESS**

None.

**IX. NEW BUSINESS**

None.

**X. PUBLIC HEARING**

Commissioner Mitchell said we have come to the portion of the meeting where anyone from the public will have an opportunity to speak; give your name and address and they will be given two minutes. No one chose to speak.

**XI. EXECUTIVE SESSION**

Ms. London presented **resolution #47-2011 providing for a meeting not open to the public according to the provisions of the Open Public Meetings Act to discuss employee contracts for the Executive and Assistant Executive Directors and appointment of an Acting Executive Director.** Commissioner Brokaw moved, seconded by Commissioner Brown, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #47-2011 Executive Session**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|---------------------------|--------------------|
| Carol Ann Brokaw                         | <b>X</b>   |           |                |                           |                    |
| Rev. Tracey Brown                        | <b>X</b>   |           |                |                           |                    |
| Harold Mitchell                          | <b>X</b>   |           |                |                           |                    |
| Alex Toliver                             | <b>X</b>   |           |                |                           |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley | <b>X</b>   |           |                |                           |                    |

The Board adjourned into Executive Session at 6:18 p.m.

The Board returned to open session at 6:41 p.m.

Ms. London presented **resolution #48-2011 authorizing a settlement of employee contracts for Mr. Eric Watson and Mr. David Ervin.** Alt. Commissioner Dudley moved, seconded by Commissioner Toliver, approval of the resolution. The motion carried, on a roll call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #48-2011 Settlement of Employee Contracts**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|---------------------------|--------------------|
| Carol Ann Brokaw                         | <b>X</b>   |           |                |                           |                    |
| Rev. Tracey Brown                        | <b>X</b>   |           |                |                           |                    |
| Harold Mitchell                          | <b>X</b>   |           |                |                           |                    |
| Alex Toliver                             | <b>X</b>   |           |                |                           |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley | <b>X</b>   |           |                |                           |                    |

Ms. London presented **resolution #49-2011 authorizing appointment of Acting Executive Director Mr. Duane Young**. Alt. Commissioner Dudley moved, seconded by Commissioner Toliver, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #49-2011 Appointment of Acting Executive Director**

|  | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>PRESENT NOT VOTING</b> | <b>NOT PRESENT</b> |
|--|------------|-----------|----------------|---------------------------|--------------------|
| Carol Ann Brokaw                         | <b>X*</b>  |           |                |                           |                    |
| Rev. Tracey Brown                        | <b>X</b>   |           |                |                           |                    |
| Harold Mitchell                          | <b>X</b>   |           |                |                           |                    |
| Alex Toliver                             | <b>X</b>   |           |                |                           |                    |
| <b><u>Alternate</u></b><br>Eugene Dudley | <b>X</b>   |           |                |                           |                    |

**\*Vote of approval did not include agreement as to compensation.**

Alt. Commissioner Dudley moved, seconded by Commissioner Toliver and unanimously approved by the Board, to adjourn the meeting at 6:47 p.m.

Recorded by:

Roslyn P. Mathis