

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

**Minutes of a Board of Commissioners Regular Meeting
Thursday, September 9, 2010**

**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 David Beck
Commissioner Carol Ann Brokaw
Commissioner Alex Toliver
Alt. Commissioner Tracey Brown
Alt. Commissioner Eugene Dudley

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. Joseph Gemmell, T&M Associates
Mr. Mike Dziubeck, CME Associates
Staff and Public

IV. APPROVAL OF MINUTES (8/17/10 Regular Board Meeting Minutes)

Commissioner Brokaw moved, seconded by Alt. Commissioner Brown, to approve the minutes that were distributed to the Commissioners. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**8/17/10 Regular Meeting Minutes**

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

V. COMMUNICATIONS

Mr. Watson stated that the Annual Environmental Fair will be held this Saturday at 11:00 a.m. in Library Park.

VI. REPORT OF SPECIAL COMMITTEES

None.

VII. EXECUTIVE DIRECTOR'S REPORT

Mr. Watson stated they should continue into the Finance Report.

A. Attorney's Report

None.

B. Finance Report and Bills List Approval

Mr. Perry indicated that before he presents the Finance Report and bills list he would like to go through what the expenditures have been in the last month; PARSA, the Authority spent \$671,000 for processing the sewerage; salaries and wages, \$521,000; health benefits, \$155,000; and disposal fees \$47,000. Those four categories account for the expenditures the Authority had in order to get the job done.

All of the reports, including the bills list, are behind the blue sheet. He would be happy to answer any questions that weren't covered in the Committee Meeting.

Ms. London presented **resolution #77-2010 authorizing payment of bills**. Commissioner Brokaw moved, seconded by Commissioner Beck, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #77-2010 Payment of Bills**

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

At this time Mr. Watson read into the record a letter from Chairman Mitchell dated August 31, 2010, written to the Plainfield City Council President and Council Members, with copies going to Mayor Sharon Robinson-Briggs and Dan Williamson regarding "Follow-up information requested by the City Council." It reads as follows:

"Dear Honorable Council President and council Members:

This correspondence is to confirm that the Plainfield Municipal Utilities Authority will be submitting the information that was requested by Council at the Joint meeting held on June 28th, 2010 between members of the Authority and City Council, on or about September 24th, if not sooner. All other actions requested of the Authority will also be in place by that date.

We understand that there is a desire for another meeting in September. However, we respectfully request and suggest that this follow up meeting be held sometime shortly after the November election. The Authority is in the process of working on its upcoming budget and addressing matters to determine rates for the next year. In addition, the Authority is in the midst of active and timely negotiations with several public entities in an effort to effectuate potential shared services agreements, which will potentially benefit the ratepayers of the City. At a November meeting, the Authority will be in a much better position to provide more detailed information on these issues and initiatives, so as to facilitate a more productive and substantive discussion between the parties.

If there are any substantive pressing issues that require immediate attention or response prior to November, the Authority can address and respond to same if they are provided in writing to the Executive Director. Also, staff is always available to meet with the Council liaisons as needed, and discussions can always take place at the Authority's Regular meetings scheduled for September and October.

We look forward to meeting with Council in November and will provide the requested information as indicated above by September 24th.

Sincerely,

Harold Mitchell
Chairman Plainfield Municipal Utilities Authority"

Commissioner Mitchell stated that the Council had requested a meeting with the PMUA and that was his response to them.

C. Resolution correcting R74-2010 authorizing an emergency sanitary sewer repair contract

Mr. Ervin stated that a resolution had been passed at the last Board meeting regarding an emergency over on Richmond Street and as a result of that the Authority is working it as an emergency contract. The resolution was done under the incorrect non-fair and open contract provisions and it needs to be corrected.

Ms. London stated that this resolution is to void resolution 74-2010 and replace it with this one. Ms. London presented **resolution #78-2010 to void resolution #74-2010 and authorize the award of an emergency contract for sanitary sewer repair services**. Alt. Commissioner Dudley moved, seconded by Commissioner Toliver, approval of the resolution. Commissioner Beck asked what makes this different in terms of what the Board already approved. Ms. London replied the prior resolution incorrectly stated that the contract was being awarded as a non-fair and open contract. The correct authorization is the emergency provision of the Local Contracts Law. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #78-2010 To Void and Replace #74-2010

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

D. Resolution authorizing technical modifications to an employment contract

Ms. London stated that this resolution is to correct certain, though very minor, technical corrections to the personnel contract that was previously approved involving the Comptroller. There were some minor technical corrections to address the title, the term of the contract and the language dealing with the term. Ms. London presented **resolution #79-2010 authorizing technical corrections to the personnel contract of the Comptroller**. Commissioner Toliver moved, seconded by Alt. 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 #79-2010 Technical Corrections to Comptrollers Personnel Contract

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

E. Resolution authorizing a Change Order to Rock Ave. Pump Station reconstruction contract

Mr. Ervin stated that this is Change Order No. 1 to the Rock Ave. Pump Station reconstruction project. In the engineer’s report they were doing the excavation and they found that one of the pipelines leading to the pump station was broken and needed to be repaired. The Authority negotiated with the contractor to continue the work. The additional work is to cost an additional \$24,000. Ms. London presented **resolution #80-2010 authorizing Change Order No. 1 to Jogi Construction, Inc.** Alt. Commissioner Brown 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 #80-2010 Change Order No. 1 to Jogi Construction

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

VIII. UNFINISHED BUSINESS

None.

IX. NEW BUSINESS

Commissioner Mitchell stated that budget time is coming up and he is appointing Alt. Commissioner Brown, Commissioner Brokaw, along with him, to serve on the Budget Committee. The Buildings and Grounds Committee he is appointing Commissioner Toliver, Commissioner Beck, and Alt. Commissioner Dudley. Human Resources/Policy, along with him it will be Alt. Commissioner Brown and Commissioner Brokaw.

X. PUBLIC HEARING

Commissioner Mitchell stated that we have come to the public hearing portion of the meeting. Anyone here who desires to speak, please stand up and give your name and address and you will be allowed two minutes to speak. Seeing no one, they are going to move on to Executive Session.

XI. EXECUTIVE SESSION

Ms. London had a very brief Executive Session item and presented **resolution #81-2010 providing for a meeting not open to the public in accordance with the Open Public Meetings Act concerning a personnel matter.** Commissioner Brokaw moved, seconded by Commissioner Beck, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE Resolution #81-2010 Executive Session

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

The Board adjourned into Executive Session at 6:20 p.m.

The Board returned to the public session of the meeting at 6:26 p.m.

Ms. London stated that the Board was in Executive Session to discuss the settlement of a personnel matter and have provided Counsel with parameters for a settlement. Ms. London presented **resolution #82-2010 authorizing the execution of a settlement agreement.** Commissioner Brokaw 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 #82-2010 Authorization of Settlement Agreement

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

Alt. Commissioner Dudley moved, seconded by Alt. Commissioner Brown and unanimously approved by the Board, to adjourn the meeting at 6:30 p.m.

Recorded by:
Roslyn Mathis, Board Secretary