

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

Minutes of Special Meeting
June 1, 2011

127 Roosevelt Avenue
Plainfield, New Jersey

I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)

Commissioner Mitchell, Chairman, called the Meeting to order at 1:05 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	Mr. Eric Watson, Executive Director
Commissioner Carol Ann Brokaw	Mr. David Ervin, Asst. Executive Director
Commissioner Tracey Brown	Mr. Jim Perry, Chief Financial Officer
Commissioner Alex Toliver	Ms. Leslie London, Board Attorney
Commissioner Eugene Dudley	Mr. Jeffrey Bliss, Lerch Vinci Higgins

IV. RESOLUTION

Assistant Executive Director Ervin advised the Board that the five bids that had been received by the Authority in response to the Request for Bids for Packers all contained non-waivable problems, and consequently, there is a need to reject all of the bids and issue a new Request for Bids. Commissioner Dudley raised a question regarding the current status of the trucks used by the Authority and Mr. Ervin responded.

Resolution No. 41-2011 Authorizing the Rejection of All Bids For Various Solid Waste Packers was presented and read by Ms. London. A Motion was made by Commissioner Brokaw to approve the Resolution, second by Commissioner Dudley. The Motion carried on a roll call vote with all members in favor.

Recorded Vote	Resolution No. 41-2011				
	Yes	No	Abstain	Present Not Voting	Not Present
Carol Ann Brokaw	x				
Rev. Tracey Brown	x				
Harold Mitchell	x				
Alex Toliver	x				

Alternate
Eugene Dudley (#2)

x

IV. PUBLIC HEARING

Commissioner Mitchell announced that the Board will proceed with the Public Hearing portion of the Meeting. Commissioner Mitchell advised that if anyone would like to speak to please stand, provide their name and address.

Bill Kruse gave his name and address. Mr. Kruse commended the service of Mr. Watson, Mr. Ervin and Mr. Perry to the Authority. He said that his comments that are made at the Meetings are to stimulate thinking and improve service. He then proceeded to comment on the December 28, 2010 Rate Hearing and made several statements regarding the PMUA's consultants that were used for that Hearing. He also commented on the responses provided by Ms. London in response to his comments at the May 24, 2011 Special Meeting. He believes the rate difference for those homeowners that "opt-out" is discriminatory and asked the Board to reconsider. He also mentioned his previous OPRA requests for certain reports and questioned the process used by the Board to decide on the rates.

With respect to the OPRA requests made by Mr. Kruse, Ms. London advised that the calculation information requested by Mr. Kruse was determined to be privileged and not a public document, and therefore was not subject to disclosure under the law. Ms. London emphasized that the Authority is obligated to provide all documents requested that are deemed by law to be a public document and that any such document is required to be provided to Mr. Kruse. Commissioner Brown asked what reports were involved. Ms. London responded that there are certain work product documents prepared by the consultants as part of their work/analysis that are privileged documents. However, she advised that the presentation/explanation of the rates that was presented by T&M at the Rate Hearing was made available because it is a public document, as is the Authority's budget. Ms. London also mentioned that the shared services fee that is charged by the Authority has been deemed by the Court to be a valid, legal charge. In addition, Ms. London mentioned that the County of Middlesex charges a similar type of fee to all generators of solid waste in Middlesex County regardless of whether the generator utilizes the County's landfill facility for disposal.

Mr. Mitchell asked if there was anyone else that wanted to speak. No one responded.

A Motion was made by Commissioner Dudley, second by Commissioner Toliver to go into Executive Session.

Resolution No. 42-2011 was presented and read by Ms. London authorizing Executive Session. The Resolution was approved by roll call of all five members.

Upon the return to the Public Session of the Meeting after the Executive Session, a Motion was made by Commissioner Dudley, second by Commissioner Brokaw, to adjourn the Meeting at approximately 2:25 pm.

Minutes taken by:
Leslie G. London, Esq.
Board Attorney