

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

Minutes of a Board of Commissioners Regular Meeting Tuesday, May 10, 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

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. Bill Holbrook, T & M Associates
Mr. Mike Dziubeck, CME Associates
Staff and Public

IV. APPROVAL OF MINUTES (4/14/2011 Meeting Minutes)

Commissioner Mitchell called for a motion to accept the minutes with one correction; that being Lana Carden, Human **Resources** Manager, not Human **Relations** on page 6, third paragraph.

Commissioner Brokaw moved the minutes be approved as amended, seconded by Alt. Commissioner Dudley. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

April 14, 2011 Minutes

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

V. COMMUNICATIONS

None.

VI. REPORT OF COMMITTEES

None.

VII. EXECUTIVE DIRECTOR'S REPORT

A. Attorney's Report

Ms. London had three updated items. At the last meeting she had mentioned a meeting with New Jersey Transit regarding possibly working on the rail lines and that their attorney was reviewing the statutes to determine whether or not they could legally enter into an agreement to do the work. He completed his review and sent Ms. London an email this afternoon saying he agreed with the statutes that she had provided him with in support of an Interlocal type of agreement. The next step would be for the staff to get together with the New Jersey Transit technical staff; Howard Smith is going to do that, start the ball rolling, work through the logistics and get more specific information about what would be done as far as the contract.

The second item is regarding the UCUA and the agreement that they had been working on with them to become a designated material recovery facility for the County. The attorney there had requested some tonnage information and that was sent to him. They are hoping the execution of that agreement moves forward because they need to have that agreement in place prior to the Transfer Station accepting waste from municipalities in Union County.

The last item, which she has a resolution for, concerns the authorization of a submission of a petition and tariff to the DEP, another component of opening of the Transfer Station to other municipalities other than the City of Plainfield; it requires that they have an approved tariff issued by the DEP in place. DEP has indicated it should go through very quickly because they are not seeking to impose any rates above the maximum that is allowed by DEP.

They could go above the maximum, but they would have to go through a whole rate proceeding. The numbers they will be using in the tariff would be the maximum that's allowed. The resolution is to authorize the submission and tariff to DEP to approve the tariff to allow others to come in and utilize the Transfer Station. They would be haulers collecting waste from municipalities other than those in the City of Plainfield.

Commissioner Mitchell asked about the agreement they have with the County, is that still standing. There was some question about amending it. Ms. London replied that's a separate agreement. The one Commissioner Mitchell is referring to is the agreement involving the incinerator. They haven't signed anything at this point; the attorney still hasn't provided Ms. London with the information. She did receive a call from the attorney who attended a Board of Commissioner's meeting and Ms. London asked her specifically for the documentation; she said it would be forthcoming, but Ms. London has not received it yet. Another attorney from that office shared with Ms. London that DEP has been asking for a lot of information.

Commissioner Mitchell asked if there is a lawsuit against Union County Utilities Authority. Ms. London replied none that she is aware of. There is a lawsuit against Covanta.

B. Finance Report

Mr. Perry gave the break down of the major expenses for this month totaling almost 90 percent. Pension contribution, and this is for the full year, \$630,000; also for the full year is the Joint Insurance Fund, all of the insurance payments have been made for operating insurances of \$238,000; salaries and wages during the past month, \$542,000; disposal fees \$183,000; and health benefits \$116,000; totaling about 88 percent of their total expenditures and those are the major expenses.

The report behind the blue sheet, everything is up-to-date with the bond trustees and with the banks and the City. The tax sale is coming up on June 6th. They will probably be hearing from customers on that.

Ms. London presented **resolution #36-2011 authorizing the payment of bills**. 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 #36-2011 Payment of Bills

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

C. Resolution authorizing submission of the CY 2010 recycling tonnage grant application

Mr. Ervin stated that they are obligated to submit a tonnage report to the DEP. For them to receive tonnage grant funds from the State they have to submit a resolution to request those funds. This is for the application to receive those funds.

Commissioner Mitchell asked what the amount of those funds is. Mr. Ervin replied anywhere between \$20,000 to \$30,000 based on the amount of money that's available and what their tonnage is.

Ms. London presented **resolution #37-2011 authorizing the submittal of a recycling tonnage grant application**. Commissioner Toliver moved, seconded by Alt. Commissioner Dudley, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #37-2011 Recycling Tonnage Grant Application

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

D. Resolution authorizing submission of Transfer Station Rate Tariff to DEP

Mr. Ervin stated that they are obligated to submit a tariff that identifies their rates at the Transfer Station. Ms. London said this is what she referred to earlier. Mr. Ervin said they are moving their rate to the maximum allowed by the State. T & M has been working on that.

Commissioner Brown asked this is just to submit what the required rates are going to be. Mr. Ervin replied the State has to approve it, and then they will have a rate hearing. Ms. London said these are not rates that are charged the residents; these are for people coming directly to the Transfer Station to drop off waste.

Ms. London presented **resolution #38-2011 authorizing the submission of a petition to the New Jersey Department of Environmental Protection for approval of a tariff for solid waste at the Transfer Station Material Recovery facility.** 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 #38-2011 Petition to DEP for Tariff at the Transfer Station

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

VIII. UNFINISHED BUSINESS

None.

IX. NEW BUSINESS

Commissioner Brokaw brought to the Commissioners' attention that they have a packet that contains an update to the development of a strategic plan, which she submitted, and there is a report on their participation at the National Forum for Black Public Administrators that was held in Chicago.

Mr. Watson stated they are going to be coming before the Board in June about the cost analysis and location for the gas bubble.

Commissioner Mitchell asked when the fees are due to the City. Mr. Perry replied before June 30. Mr. Watson indicated that they usually ask for it prior to that time.

X. PUBLIC HEARING

Commissioner Mitchell stated that we have come to the portion of the meeting where the public is allowed to speak. Anyone wishing to do so should please rise, give your name and address and they will be given two minutes to speak.

Commissioner Mitchell said let the record indicate that no one chose to speak.

XI. EXECUTIVE SESSION

Ms. London presented **resolution #39-2011 authorizing an Executive Session to discuss certain matters with respect to the employment of an Interim and new Executive Director for the Authority and Executive Director transition.** 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				
	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Rev. Tracey Brown	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Eugene Dudley	X				

The meeting closed for Executive Session at 6:20 p.m. Staff and the Board Secretary were excused.

Alt. Commissioner Dudley moved, seconded by Commissioner Brown, to return to the public session of the meeting at 7:00 p.m.

Ms. London said they were in Executive Session to discuss the proposal that had been submitted to the Authority on behalf of the Executive Director and the Assistant Executive Direction by their counsel and there is going to be further consideration. There will be no action taken at this time.

Commissioner Toliver moved, seconded by Commissioner Brokaw and unanimously approved by the Board, to adjourn the meeting at 7:01 p.m.

Recorded by:

Roslyn Mathis, Board Secretary