

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

**Minutes of a Board of Commissioners Regular Meeting
Tuesday, October 8, 2013**

**127 Roosevelt Avenue
Plainfield, New Jersey**

I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)

Commissioner Sanders called the meeting to order at 6:07 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 Carol Ann Brokaw
Commissioner Harold Mitchell
Commissioner Cecil H. Sanders, Jr.
Commissioner Alex Toliver
Alt. Commissioner Charles Eke

Also Present

Mr. Daniel A. Williamson, Executive Director
Mr. Duane Young, Chief Financial Officer
Ms. Leslie London, Board Attorney
Mrs. Roslyn Mathis, Board Secretary
Staff and Public

Commissioner Malcolm R. Dunn -absent

Mrs. Lana Carden, Manager of Human Resources-absent

IV, APPROVAL OF MINUTES

Commissioner Brokaw moved that the corrected September 5, 2013 Committee Meeting Notes be approved, seconded by Commissioner Mitchell. The motion carried, on a roll-call vote, with three members in favor and none opposed.

RECORDED VOTE

September 5, 2013 Committee Meeting Notes

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.				X	
Alex Toliver	X				
<u>Alternate</u> Charles Eke				X	

Commissioner Mitchell moved the September 11, 2013 Re-Scheduled Regular Meeting Minutes be approved, seconded by Commissioner Brokaw. The motion carried, on a roll-call vote, with four members in favor and none opposed.

RECORDED VOTE**September 11, 2013 Re-Scheduled Regular Meeting Minutes**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke				X	

V. COMMUNICATIONS

Mr. Williamson indicated that there was discussion at the Committee Meeting last week regarding the League of Municipalities Conference Workshop Schedule that was passed out to the Commissioners so that those who intend to attend the workshop could choose what they plan to participate in.

Another matter at the Committee Meeting was a brief discussion regarding the signage for the PMUA's office at 215 West Front Street. Mr. Williamson has authorized the Public Information Department to go forward with the design, a copy of which had been provided in the Commissioners' packet that will appear on the door declaring the PMUA's presence at that location. Mr. Williamson stated it will be ready for moving in approximately the week of the 14th, but physically they will be moving in probably the 21st. Mr. Williamson said they will need that week to transition the move of the furniture from Park Avenue into the Front Street property, and to put together the new furniture being brought in for certain offices to complete the entire package. They will also be cleaning up the facility they are in presently at Park Avenue.

Commissioner Mitchell inquired if the Authority worked out a rent agreement with the former landlord.

Mr. Williamson replied he approached Mr. Homer and made a request with regard to a per diem payment and his answer was no, he was not agreeable to a per diem payout. Mr. Williamson indicated as it turns out they will be very close to the end of the month of October when they move out of the Park Avenue facility. Mr. Williamson advised Mr. Homer feels the PMUA still owes for the month of October.

Commissioner Brokaw also advised that Mr. Homer has the Authority's security, and he has not given the PMUA an accounting of the security and interest.

Mr. Williamson confirmed Mr. Homer has not done that, but there may be a distinction of dichotomy between residential security and commercial security; they are doing some research with regard to Mr. Homer having an obligation to let the Authority know where the money is and the interest it is accumulating, that may not be the case because it's a commercial lease. Mr. Williamson said Mr. Homer does have an obligation to return the security deposit with interest over the period of time the Authority was there. Mr. Williamson indicated Mr. Homer will be going through the building to make an assessment of what, if anything needs to be repaired. Mr. Williamson said over a nine-year period the PMUA is entitled to ordinary wear and tear. Mr. Williamson stated that staff will take color photographs, and the building will be found to be in very good shape.

Commissioner Brokaw inquired if the Authority could offset that against what Mr. Homer feels he is owed for October.

Mr. Williamson replied he doesn't think the Authority has a legal basis to do it. Mr. Williamson indicated if the Authority did not pay and they were sued for the rent, the PMUA could file a counter complaint. Mr. Williamson advised this would be in landlord/tenant court.

Mr. Williamson recalled in one of the letters he saw it's somewhere around \$27,000 with interest the PMUA is entitled to have returned to them subject to any legitimate repairs that have to be made by Mr. Homer.

Commissioner Sanders inquired if they could apply that to the one month's rent.

Ms. London replied there is no legal right to offset it. She said the practical aspect of it is if the Authority doesn't pay, Mr. Homer sues them for the rent; the PMUA sues Mr. Homer for the amount he owes them, they wind up getting there anyway.

Mr. Williamson said the Authority is on schedule for the move to West Front Street. He indicated the one piece that is problematic is the Public Service meters that have to be installed. Mr. Williamson has worked it out with the City where the Authority may be able to move the furniture and everything into the facility without their objection as long as they can get at and be able to observe what they need to see it should not be a problem. Mr. Williamson indicated they plan to move the Human Resources Department in first, they have the most file cabinets, etc., and the other smaller units would be moved in after that. He said it shouldn't take more than three or four days to complete that process.

VI. REPORT OF COMMITTEES

No Committee reports, but Mr. Williamson said that at the Committee Meeting there was a discussion about a meeting that was had with the Chairman along with Commissioner Toliver related to the Authority's fleet and it was reported back to the Board there has been some ongoing discussion about how to improve the fleet, a capital improvement program designed for three to five years addressing the different needs for the PMUA. Mr. Williamson also reported that the dump truck that was to be converted into a container hauler has been completed. He said by doing it that way they saved about \$70,000. Mr. Williamson indicated a brand new vehicle would cost about \$84,000 to \$85,000. He said the unit that they used to transform this vehicle would cost them about \$15,000. Mr. Williamson said it's also given the Authority a lot more flexibility as to moving containers around and being able to repair the containers at the Cottage Place facility. Mr. Williamson will make sure the Commissioners receive the before and after photographs.

Commissioner Toliver inquired why the name "inspector" is not on the vehicles used for that purpose. If the vehicle is used for an inspector, he felt it should be noted on the vehicle.

Mr. Williamson will share that request with the staff and report back to the Board the results of the discussion.

Mr. Williamson said CME reported to the Facility Committee that the Rock Avenue project is on point, all of the permits have been applied for and the Authority is waiting for the approvals. He said the RFP's are being put together and they will be given to the Purchasing Agent and Counsel for review so that by January they should be able to go out to bid.

VII. EXECUTIVE DIRECTOR'S REPORT

A. Attorney's Report

Ms. London stated she attended the Legislative Committee of the Association of Environmental Authorities meeting Wednesday, September 25th; and that one of the items on the agenda was the legislation the Authority had drafted with Assemblyman Green. The Association is very interested in the bill. They were enthusiastic about it and advised that they will be submitting a letter to the Commissioners expressing their support; will be contacting each of the sponsors of the bill on the Assembly side and Senate side supporting the bill; and will urge its movement in each of the respective Committees. Ms. London said this is their first step, and they will continue to monitor the bill and do whatever they can. Ms. London indicated the Association helps members of Authorities like the PMUA that deal with water and sewer and they were happy to support the bill for the Authority.

Mr. Williamson stated that's a good thing. He said some people thought this idea was just an illusion, a political movement, but the Authority is very serious about this bill. Mr. Williamson said this was revived when he came on board.

Mr. Williamson said he had encouraged General Counsel to put the document together, and they submitted it to Assemblyman Green, who agreed to sponsor it along with some other Legislators. Mr. Williamson said it may take a while, but hopefully the Authority will be able to move it through the whole process and get some relief for the Authority's ratepayers.

B. Finance Report & Bills List Approval

Mr. Young referenced the blue sheet that was included in the Commissioners' packet that contained a summary of the highlights leading up to the October meeting. Mr. Young said there was \$1.4 million in major expenses. One of the largest expenses was \$515,000 for debt services associated with the Association's quarterly bond payments. He said there was also \$442,000 in salaries; \$292,000 in disposable fees; health benefits, \$139,000; that brings the amount up to about \$1.4 million, which represents about 87 percent of the major expenses for this period.

Mr. Young highlighted the budget versus actual, a significant part of the packet. He said it's the last sheet and it gives the Board the financial status for the sewer as well as solid waste. Mr. Young said for sanitary sewer there is a profit of \$213,902 for the eight-month period ending August 31st. Mr. Young highlighted a deficit of \$45,488 for solid waste for the same eight-month period ending August 31st. He said it was discussed in the Committee Meeting the deficit in the solid waste is primarily due to the fact the Authority did not realize about \$220,000 that was budgeted revenue the PMUA was going to take out of the R & R. The Authority is having a successful year so it was determined they didn't have to realize that revenue at this point, they could put that off until next year and still be at a relatively level dollar amount within the solid waste budget versus actual. Mr. Young stated that the Authority is doing relatively well, so it was determined it wasn't necessary to bring in that \$220,000 for this year. Mr. Young said the bills list is included in the packet, the accounts receivables, disbursements; everything remains relatively stable in comparison to previous years and this year.

Mr. Young said there is a tax sale coming up on October 10th. He indicated the Authority has done a lot of work; the staff has worked very closely with the City in an effort to make it a very smooth tax sale. He said the volume of accounts that are normally sent for the sale is down. Mr. Young said a lot of the funds have come in prior to the tax sale, thereby lessening the amount of work needed to be done for the tax sale itself. Mr. Young stated it is anticipated there will be a successful tax sale on Thursday, and the Authority will continue to work with the Tax Collector to get the money in on a timely basis.

Commissioner Toliver inquired about the \$220,000.

Mr. Young explained to Commissioner Toliver that it wasn't necessary to take the \$220,000 out of the R & R the Authority originally had budgeted for because the Authority is doing relatively well this year. Mr. Young said that money could be left in R & R for a rainy day or as part of the capital planning that the Authority will need in the planning for next year's budget.

Commissioner Mitchell inquired if a capital improvement budget had been established.

Mr. Young replied that is what the authority is working on now. He said the Committee will prioritize looking at the trucks, what type of equipment the Authority needs; looking at a three to five-year plan. Mr. Young said by saving that money, it could probably be more the Authority could do in the next three to five years as part of the capital plan.

Commissioner Mitchell inquired whether it is correct that if the Board passes a resolution to establish a capital improvement plan and budget, and the money goes into that capital improvement plan, they can't go in and take that money out and use it for any other purpose.

Ms. London advised that the Board would have to take action to change what was approved. Ms. London said if the Board approves a certain amount to go in, if the Board wants to change that, then they would have to amend the resolution.

Commissioner Sanders inquired about the tax sale, does that work the same way it works with the City.

Mr. Young said the Authority and the City do it jointly. Mr. Young said accounts, anything from December 31st and prior that is delinquent, the Authority sends them over to the City, the City combines it with what they have delinquent and then have the tax sale. Mr. Young said if the Authority collects delinquent accounts throughout the course of the year, working with the Tax Collector, he helps the Authority; it minimizes the amount of time when they get to the tax sale on Thursday. Mr. Young indicated the Authority has done a lot of work with help of the Tax Collector thereby not having to take a lot of accounts to the table to sell.

Commissioner Mitchell said in the past the Authority had to send employees over to the City to help.

Mr. Young said they didn't have to do that as much this year because they worked together with the City. He said Mr. Marshall is doing a great job working with the Authority via phone, email; the communication channel is open.

Mr. Young explained the tax sale process to Commissioner Sanders. Mr. Young said if there is a balance due to the Authority, at the sale the investor purchases that balance, the Authority receives their money and is out of it. Mr. Young indicated how the lien works, each entity gets paid by the investors who buy the lien; what the person does to get their property back, the Authority doesn't have anything to do with that.

Ms. London presented **resolution #90-2013 authorizing payment of bills**. Commissioner Mitchell 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 #90-2013 Payment of Bills**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke	X				

C. Resolution Authorizing Execution of a Contract with the Alternative Press

Mr. Williamson indicated this matter was discussed at the Committee Meeting, concerning getting the Authority's message out to a broader territory throughout Union County. Mr. Williamson said this is a non fair and open contract for \$1,620 for the year. Mr. Williamson said the Authority is trying to find out if this would be helpful in getting the PMUA's name out there and more people getting informed about the Authority. Mr. Williamson stated that after the one-year period, if it does not work, the Authority will not renew the contract.

Mr. Williamson is asking the Board to approve the one-year contract with the Alternative Press.

Mr. Williamson said Commissioner Dunn could not vote on this if he were here because one of the people involved in this project is his son.

Commissioner Toliver inquired how the Authority would know if this would help the Authority or not because it's an open media, it's a website, how would the PMUA evaluate whether this was helpful or not. Commissioner Toliver is not against it; it's less expensive.

Mr. Williamson felt the Authority's staff would be able to monitor the number of hits or the volume of people going to that site and be able to get a sense of whether or not it's something helpful to the Authority. Mr. Williamson said it's about giving the citizens knowledge and hopefully generate some excitement about the PMUA.

Commissioner Toliver would like to know if this site would generate any business for the PMUA.

Mr. Williamson mentioned the quarterly newsletter; they don't know how effective that is although it is believed the citizens want to know what the Authority does.

Mr. Williamson said sometimes it's not necessarily about getting a contract, it's just about people having a clear idea of what the Authority does; the rates, for example. Mr. Williamson said that information is put in the newsletter and the Authority didn't get a lot of phone calls when the PMUA reduced the rate.

Commissioner Brokaw said the site could tell them whether or not something of value was gained from it. She said a survey could be taken.

Mr. Williamson deferred to Erin Donnelly, Public Information Manager.

Ms. Donnelly agreed with both Commissioner Toliver and Commissioner Brokaw, that they both had very valid points. She said the return on an investment such as this is not necessarily realized in garnering a contract, but it could facilitate in large part, public compliance, which impacts the Authority's bottom line. Ms. Donnelly said if the customer is not in compliance with the Authority's rules and regulations, it could affect the PMUA's operations; the disposal tonnage, how much recycling they may or may not be pulling in, and other violations. She said it's facilitating the expansion of the Authority's voice as a company and acting as a supplement for a partner to the PMUA's print communications. Ms. Donnelly said it's making sure the Authority is covering all available channels of communications.

Ms. Donnelly also said the Authority has pulled back over the years in terms of advertising in the name of fiscal responsibility. She said in examining other channels, this turned out to be the most cost effective and comparable than how something like the Courier and Star Ledger who offers online advertisement would charge the Authority.

Ms. London presented **resolution #91-2013 authorizing the execution of a contract with the Alternative Press**. Commissioner Toliver moved, seconded by Alt. Commissioner Eke, approval of the resolution. During the roll-call vote, Commissioner Brokaw advised that she would abstain because of her personal relationship, and Commissioner Mitchell advised that he too would abstain. Commissioner Sanders voted yes and Commissioner Toliver inquired, before voting, about the ability to place an advertisement, would that be extra. Ms. Donnelly said that would be included in the \$1,620 as well as other offers. After Ms. Donnelly shared more information, Commissioner Toliver voted yes, and Alt. Commissioner Eke voted yes. The motion carried, on a roll-call vote, with three in favor, none opposed, and two abstentions.

RECORDED VOTE**Resolution #91-2013 Alternative Press**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw			X		
Malcolm R. Dunn					X
Harold Mitchell			X		
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke	X				

D. Resolution Adopting a PMUA Financed Training Policy for PMUA Staff

Mr. Williamson stated Commissioner Toliver raised the question about financing education for the Authority's employees and making sure the PMUA wasn't investing in folks who may or may not stay employed once they received that education; staff put together a policy that says if the Authority funds the education of the employee, they have an obligation to remain with the PMUA one year and to execute a document which acknowledges that obligation. Mr. Williamson indicated if the employee were to voluntarily or involuntarily be severed from employment with the PMUA before the one-year period timeline, he or she would be obligated to repay the money. Mr. Williamson said if the employee did not pay it; the Authority could take legal action against that employee to recover the PMUA's funds.

Mr. Williamson indicated there are employees who are presently participating in a program, but this document would not be retroactive. He said he advised the Board at the Committee Meeting those people who are participating in training courses that are funded by the PMUA prior to this document, will be signing off on a document that would bind them to that one to three-year period and based on his conversation with them they would remain with the Authority.

Commissioner Toliver inquired how many that would be.

Mr. Williamson replied four employees. He said they are the Chief Information Officer, Public Information Officer, and two employees presently taking the CDL course.

Mr. Williamson indicated the timeline would be a minimum of one year and a maximum of three. He said it would be tied into the amount of money; the greater the amount of money, the longer the employee would be required to remain. Mr. Williamson stated if the employee disagrees, the Authority has the option to say no they are not going to fund their program; the employee could do it on their own.

Commissioner Mitchell inquired if any of these employees are affected now.

Mr. Williamson replied no, because the document didn't exist before today. He said when the employees contacted him about those courses he said yes, but he also said if the Authority does this they have to be committed to stay. Mr. Williamson is putting that in writing and will have the employees sign off on that document. He said that document will look different than the document the Commissioners have in their packet, but it would be effectively the same.

Alt. Commissioner Eke inquired if the document the Commissioners have titled Plainfield Employee Commitment Agreement should instead be Employment Training Document.

Ms. London advised, that reference is in the body of the document, it will identify the course, whether or not its training or continuing education. She said there are blanks so if the employee is doing CDL training, or education, it will say whatever they are taking in the form of education. Ms. London said the employee has to commit to successfully completing the program. She said if the employee doesn't successfully complete the program, they will have to repay the Authority.

Alt. Commissioner Eke inquired if the employee is failing the course and has to re-take it, which could mean additional money, is the Authority going to stand behind this employee no matter how long it takes.

Mr. Williamson replied there is no obligation for the Authority to do that, but it could be an administrative call whether or not the Authority intends to invest more funds in the employee who is not getting it or it could be subject to a union contract. He said it would be fact sensitive as to what the decision could be.

Ms. London presented **resolution #92-2013 authorizing adoption of a PMUA financed training policy for PMUA staff.** 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 #92-2013 PMUA Financed Training Policy

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke	X				

E. Resolution of the PMUA Approving an Official Holiday Schedule for Calendar Year 2014

Mr. Williamson said that Christmas Day falls on a Thursday, but PMUA employees are expected to be at work on Friday, the 26th.

Commissioner Brokaw inquired if the 2014 Holiday Schedule contained the same number of days as last year.

Mr. Williamson replied yes.

Ms. London presented **resolution #93-2013 approving an official Holiday Schedule for calendar year 2014**. Commissioner Mitchell 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 #93-2013 Holiday Schedule for CY 2014

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke	X				

F. Resolution Authorizing Execution of a Contract with an Approved State Contract Vendor – Verizon Wireless

Mr. Williamson indicated the CIO advised the Board at the Committee Meeting that the Authority has been having trouble under the Sprint umbrella. He said when Sprint took over Nextel there has been a series of problems. Mr. Williamson stated staff has gone out and identified Verizon Wireless for the Authority's cell phones only. He said Sprint is still providing service for the Authority's GPS; there haven't been any problems with that. Mr. Williamson said the problems they are having using the Sprint service for the cell phones is dropped calls, calls not going through; there have been a lot of problems with the staff in the field not being able to communicate with one another.

Commissioner Sanders inquired if the cost is similar to what they have now.

Mr. Williamson replied it is not to exceed \$60,000.

Mr. Young stated the Authority will still be using the same budgeted money. He said the PMUA had budgeted \$60,000 for cell phones and GPS. Mr. Young said the Authority will not be exceeding that \$60,000 budget.

Ms. London presented **resolution #94-2013 authorizing the execution of a contract with an approved State contract vendor.** Commissioner Mitchell 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.

<u>RECORDED VOTE</u>		Resolution #94-2013 Verizon Wireless			
	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke	X				

G. Resolution Approving Certain Rate Changes with respect to Certain Shared Services Agreements

Mr. Williamson stated that when the Authority began this process the charge was \$6.50 per cubic yard. He said this was pre-Sandy and during Hurricane Sandy. Mr. Williamson said that it was determined by the Finance Department and Transfer Station personnel subsequently because of the volume of vegetative waste and because the disposal cost was based on a tonnage rate, it did not make sense to continue the rate at \$6.50 per cubic yard; instead it was changed to \$60 per ton. Mr. Williamson said that was done by virtue of sending a letter to Trenton and the various towns advising them of the change from \$6.50 per cubic yard to \$60 per ton. Mr. Williamson stated that as a result of that, some of the towns felt that was too expensive for them. Mr. Williamson said staff consisting of the Finance Department and Transfer Station personnel discussed a strategy to try to attract the customers to return concerning the vegetative waste, type 23. He said after the discussion it was determined the Authority could possibly get them back by reducing the rates just for municipalities, have a shared services agreement just for them, and reduce that number to \$45 per ton.

Mr. Williamson is asking the Board to approve the resolution that would allow the \$45 per ton rate just for municipalities, all other customers who use the Authority's facility the cost would remain the same for them, \$60 per ton. He said if the Board approves this, it would allow staff to go out and negotiate with the other towns and if they accept this number administration would not have to come back to the Board for each contract; they would, however, return to the Board if the price changed from the \$45.

Commissioner Sanders inquired if this was discussed in the Committee Meeting.

Mr. Williamson replied it was discussed, but not as a resolution. He said it was a lengthy conversation and the question was raised why the Authority had lost some of those customers and they tried to explain why.

Ms. London presented **resolution #95-2013 approving certain rate changes with respect to certain shared services**. Commissioner Mitchell 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 #95-2013 Rate Change to Certain Shared Services Agreements

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke	X				

H. Resolution Authorizing the Retention of Special Counsel for Certain Litigation

Mr. Williamson stated members of the Board are familiar with the litigation and legal counsel is being identified with regard to that lawsuit and this resolution is designed to identify the appropriate counsel.

Ms. London identified the hourly rate that would be charged.

Ms. London presented **resolution #96-2013 authorizing retention of Special Counsel for litigation**. Commissioner Mitchell moved, seconded by Commissioner Brokaw, approval of the resolution. Commissioner Toliver inquired if it would be a conflict of interest if one of the law firms was one he had been associated with for about 20 years. Mr. Williamson replied no because they were not representing him, they were representing the interest of Commissioner Brokaw and Commissioner Mitchell. Mr. Williamson said John Motta is representing all three of the Commissioners and he is prepared to move forward in that regard. Commissioner Sanders inquired if they are aware of the \$190 rate and are willing to accept that. Mr. Williamson replied it's the government rate; the government can't pay the money private industry pays. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #96-2013 Special Counsel**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Malcolm R. Dunn					X
Harold Mitchell	X				
Cecil H. Sanders, Jr.	X				
Alex Toliver	X				
<u>Alternate</u> Charles Eke	X				

VIII. UNFINISHED BUSINESS

Mr. Williamson discussed an issue regarding the League of Municipalities Conference and the use of credit cards to reserve rooms in Atlantic City at a reduced rate as opposed to not having a credit card, and the room rate being \$150 a night instead of approximately \$69. He thought the Board might want to look into revising their travel policy and the use of credit cards for this purpose.

Ms. London advised that she will look into that.

IX. NEW BUSINESS

None.

X. PUBLIC HEARING

Commissioner Sanders invited any member of the public who would like to address the Board to stand, give their name and address and they will be given two minutes.

Bernice Paglia, 124 E. 7th Street. Ms. Paglia asked Mr. Young if he knew the collection rate for sewer and solid waste.

Mr. Young replied when the Authority goes to the tax sale, they collect up to 98, 99 percent.

Ms. Paglia said one night, when the power went out, walkie talkies were used, and she inquired if the Authority has any policy for using walkie talkies for key staff when all of the other facilities go out.

Mr. Williamson responded the Authority has a group that has come together with a plan for the use of walkie talkies when that happens. He said they are trying to find the money to do that.

Ms. Paglia asked for, and received, the spelling of the names of the Special Counsels.

The Public Hearing closed at 7:30 p.m.

Commissioner Mitchell moved, seconded by Commissioner Brokaw and unanimously approved by the Board, to adjourn the meeting at 7:31 p.m.

Recorded by:

Roslyn Mathis, Board Secretary