

**PLAINFIELD MUNICIPAL UTILITIES AUTHORITY**

**Minutes of a Board of Commissioners Meeting  
Tuesday, June 10, 2014**

**127 Roosevelt Avenue  
Plainfield, New Jersey**

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

Commissioner Mitchell, Chairman, called the meeting to order at 6:02 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 Malcolm R. Dunn  
Commissioner Harold Mitchell  
Commissioner Cecil H. Sanders, Jr.  
Commissioner Charles Tyndale  
Alt. Commissioner Charles Eke @ 6:12 pm via phone

**Also Present**

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

Mr. Daniel A. Williamson, Executive Director – absent

**IV. APPROVAL OF MINUTES – May 13, 2014 Regular Meeting Minutes**

Commissioner Brokaw moved, seconded by Commissioner Sanders, approval of the May 13, 2014 Regular Meeting Minutes. The motion carried, on a roll-call vote, with four members in favor and none opposed.

**RECORDED VOTE May 13, 2014 Regular Meeting Minutes**

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

**V. COMMUNICATIONS**

Mr. Young said that there is a very important announcement administration would like to make and that is to acknowledge some of the Authority's employees, present this evening, who successfully completed the Front End Loader Course that was administered by Total Equipment Training. Mr. Young called Reno Wilkins forward to distribute certificates to Dean Barksdale, Ernest Bryant, Ronald Hansford and Fred McCullough. One employee, Sam Andrews, also completed the course, but he wasn't able to attend the meeting. Mr. Wilkins said this training was a good component for the Authority since the PMUA is expanding and the equipment operators should be certified, and these gentlemen have completed the process. Mr. Wilkins said that Rob Kearney, Clint Watkins and Paul Leo have also received training and have been certified. Mr. Wilkins said the employees have been certified in front end loader, excavator, and back hoe.

Mr. Kearney said that with the certification of these five employees, everyone who works at the Transfer Station is certified to operate any piece of heavy equipment.

(Alt. Commissioner Eke joined the meeting via telephone @ 6:12 p.m.)

Mr. Wilkins said if there is an injury, OSHA will request documentation regarding certification. He said a willful violation is \$70,000.00 per employee; if there are five employees operating the equipment without certification, that's \$350,000.00.

On behalf of the Board, Commissioner Dunn congratulated the employees for being inspired to complete this training and achieve this certification. He said he was very proud of them.

**VI. REPORT OF COMMITTEES**

None.

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

Ms. London said her comments will be part of the resolutions for this evening.

**B. Bill's List**

Mr. Young said the tipping fees was the largest disbursement, \$108,588.00; \$45,000.00 for leaf disposal; and the most important expense is salaries and wages, which usually averages about \$450,000.00. He said none of the expenses were out of the norm. Mr. Young said he will be distributing to the Commissioners the first quarter compilation that was just completed with Lerch, Vinci & Higgins; he said it was completed last week, and he will distribute it to the Commissioners by Friday.

Mr. Young said the budget versus actual statement; the Commissioners will receive a full three months. He said the first three months of the year was relatively good, the Authority just about broke even with the sewer and solid waste, which is good for the first quarter of the year. Mr. Young said that he is anticipating a much better second quarter because of the activity from the new contracts that have been received.

Ms. London presented **resolution #63-2014 authorizing the payment of bills**. Commissioner Brokaw moved, seconded by Commissioner Dunn, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #63-2014 Payment of Bills**

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

**C. Resolution Authorizing the Award and Execution of a Contract for Employment Staffing Services with Adecco USA, Inc.**

Mr. Young said that Adecco is a temporary employment agency that the Authority has used for the past four years. He said they have been used for administrative secretary, IT support, and things of that nature. Mr. Young said if a person is employed for a certain amount of time successfully, the Authority will purchase their contract; the amount of hours the person puts in with the PMUA will determine what the buyout fee is. He said the Authority has hired four or five people through this process, and the buyout fees range from \$1,500.00 to \$7,300.00, based on the length of time the employee has spent at the PMUA. Mr. Young said that HR provides him with the schedule.

Commissioner Mitchell inquired how many people are they down in the Finance Department? Mr. Young replied that in his area they are down one person; they just hired someone a week or two ago. He said they are not looking to bring in anyone right now; one person is out and they don't know what the status is.

Commissioner Tyndale inquired if going forward administration could expand on the scope of work for contracts in more detail.

Ms. London presented **resolution #64-2014 authorizing the award and execution of a contract for Adecco USA, Inc.** Commissioner Dunn inquired if the \$17,500 includes the wages paid to the employee or just the amount that Adecco gets. Mr. Young replied it goes to Adecco because the Authority pays Adecco, not the employee. Ms. London advised that only triggers Pay-to-Play, not the contract, not to exceed limit. Ms. London said the not to exceed contract amount is \$36,000.00, but for the purpose of Pay-to-Play, any contract over \$17,500.00 is subject to Pay-to-Play. After discussion, Commissioner Brokaw moved, seconded by Commissioner Dunn, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #64-2014 Adecco USA, Inc.**

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

**D. Resolution Authorizing the Rejection of the Bid Proposals for Two (2) 28 yard rear Loading Sanitation Trucks**

Mr. Young said the Commissioners received an explanation in their packet regarding the two bids that were received; one was from Cambria Automotive Companies and one was from Brown's Hunterdon Mack Sales & Service. He said that the problem the Authority had was that Cambria did not include a "Consent of Surety," which is a major defect, and Brown's bid in the amount of \$108,000.00 was excessive, so administration is recommending the bids be rejected and they go out again.

Ms. London presented **resolution #65-2014 authorizing the rejection of bid proposals for two (2) 28 yard rear loading sanitation trucks.** Commissioner Sanders moved, seconded by Commissioner Dunn, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #65-2014 Rejection of Bids**

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

**E. Resolution Authorizing a Change Order to the Contract with Sanitation Truck Repair, Inc.**

Mr. Young said there is a need to increase the contract with Sanitation Truck Repair because of the increase in the business the Authority is receiving. He said there is a need for more containers. Mr. Young said the PMUA had originally budgeted \$60,000.00, but there is a need to double that because of the increase in the volume and the contracts with the additional towns. He said that money will initially come from R & R, but the money will be put back from the revenue received from the contracts.

Commissioner Sanders inquired if Mr. Young had an idea of when that reimbursement would occur.

Mr. Young replied that right now he couldn't say, but he is hoping by the end of the year that money will be back in the R & R, based on the past two months in terms of the increase in volume with the additional contracts.

Commissioner Dunn inquired if Mr. Young could give the Commissioners a total for each job the amount that was put aside for that particular expense. His reason for asking that is based on what they have had so far and what they anticipate for the rest of the year and Mr. Young is asking them to double that contract. He wants to make sure that expense has been provided for, the ones that the PMUA has already signed contracts for; and secondly, it's sufficient to cover what the Authority is going to get contractually for the rest of the year.

Commissioner Tyndale inquired if the Authority actually has a Repair and Replacement line item.

Mr. Young replied yes, there is a Repair and Replacement line item in the budget that's going to take care of some of the cost, and he said they are still going to allocate some of the cost to the new contracts; he said it works two ways. He said the allocation will be small because the Authority is going to get useful life from these containers for years.

Commissioner Mitchell requested that Mr. Young provide to the Commissioners how many roll-offs the Authority is using for each town or anticipating using in each town.

Commissioner Sanders stated that information is listed in the contracts.

Mr. Young indicated it would vary, according to the needs of each town, but it is stated in the contract what the arrangement is.

Ms. London presented **resolution #66-2014 authorizing a change order to the contract with Sanitation Truck Repair, Inc.** Commissioner Brokaw moved, seconded by Commissioner Tyndale, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE**

**Resolution #66-2014 Sanitation Truck Repair**

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

**F. Resolution Authorizing a Change Order to the Contract with SLX Infrastructure, LLC**

Mr. Young said this is the Authority’s consultant engineer that is going to oversee the project at Rock Avenue, as well as other projects. He said now that the project is underway, there’s going to be a need to monitor the project, and they will go over the \$36,000.00, so there is a need to increase that to about \$60,000.00. Ms. London presented **resolution #67-2014 authorizing a change order to the contract with SLX Infrastructure, LLC.** Commissioner Brokaw inquired for the record that the Facility Committee did meet and approved the change order. Commissioner Sanders and Commissioner Tyndale both said that is correct. Commissioner Tyndale inquired where the money is coming from. Mr. Young replied R & R. Commissioner Tyndale inquired what the payment terms are. Mr. Young replied that normally the Authority receives a monthly bill. Commissioner Sanders said the responsibility is going to be to monitor the weekly progress of the project, the Interceptor, to make sure the contract is going according to the requirements. Commissioner Brokaw moved, seconded by Commissioner Sanders, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #67-2014 SLX Infrastructure, LLC**

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

**G. Resolution Authorizing the Submission of the Annual Report of Audit to the Local Finance Board**

Mr. Young said this is basically an acknowledgement of the Board that they received the audit, and reviewed the findings. Mr. Young said the Commissioners have received a copy of the audit report; administration has to get their signatures, and send it to the Local Finance Board.

Ms. London presented **resolution #68-2014 regarding the certification of the Annual Audit being submitted to the State.** Commissioner Dunn acknowledged that he and Commissioner Brokaw were informed of the Auditors' recommendations and asked Mr. Young to share that information with their colleagues.

Mr. Young said there were five recommendations:

1. Although improvements were noted, continued efforts be made to enhance internal control procedures to ensure invoices for vendors awarded peer unit labor and material contracts are thoroughly reviewed and verified to approved contract terms prior to payment.
2. Employee travel and business reimbursements include all supporting documentation required for the reimbursement request.
3. Employee health benefit contributions and employee health benefit opt out payments be reviewed to ensure they comply with the Chapter 78 requirements.
4. Accounting of employee garnishments in the paycom payroll system be reviewed and completed as required.
5. The Authority gain access to State and Federal websites to verify payroll taxes are paid in a timely manner by the third party payroll service provider.

Commissioner Tyndale had a concern regarding number one because they have had some serious maintenance costs. He said going forward they have to make sure these verifications are done.

Mr. Young replied that administration has got to get the vendors on board in providing the correct details on the invoice so the Authority could properly check the rate of their contract times the number of hours they put in comes to the extended value. He said if the vendors don't put that level of detail on the invoice, they are going to have to kick it back until they do provide it.

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

**RECORDED VOTE****Resolution #68-2014 Audit Report**

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

**H. Resolution Authorizing an Emergency Contract Agreement for 124 Cottage Place Building Repair Services**

Mr. Young said they did drop the steel today and work will begin tomorrow. He said there were three bids, and the lowest bidder didn't provide a Consent of Surety as well as a timetable for the work to be completed; the middle vendor, Paley Construction, who is receiving the recommendation, contracted for \$39,291.00, and they will begin the work tomorrow.

Ms. London presented **resolution #69-2014 authorizing an emergency contract agreement for 124 Cottage Place building repair services with Paley Construction.** Commissioner Sanders inquired how they arrive at the not to exceed amount. He advised a committee should determine the not to exceed amount. Commissioner Tyndale inquired if part of the process was for the Authority to go after the insurance company. Mr. Young replied yes, that is part of the process; the Authority will furnish the money initially, but it is anticipated the money will be recouped through JIF.

Mr. Wilkins said CNA came out and reviewed the structure and they're waiting for the numbers from the Authority so the recovery process can begin.

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

**RECORDED VOTE****Resolution #69-2014 Emergency Contract Paley Construction**

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

**I. Resolution Authorizing the Executive Director to Approve and Execute Treatment Works Approvals**

Mr. Young said this was discussed at the Committee Meeting where the Executive Director, in an effort to expedite the process along with the different sewer projects, the Executive Director could do the intermediary approvals, and the final approvals would come to the Board.

Commissioner Mitchell inquired of Ms. London if it was necessary that wording be included in the resolution regarding the final approval would be made by the Board of Commissioners.

Ms. London said if it isn't in the resolution already, then she would add that to it.

Ms. London presented **resolution #70-2014 authorizing the Executive Director to approve and execute Treatment Works approvals.** Commissioner Brokaw moved, seconded by Commissioner Dunn, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

**RECORDED VOTE****Resolution #70-2014 Treatment Works Approvals**

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

**VIII. PUBLIC HEARING**

Commissioner Mitchell said they have come to the portion of the meeting where members of the public have an opportunity to speak. Anyone who would like to do so, please stand, give your name and address, and they would have two minutes to speak. Seeing no one, Commissioner Mitchell closed the public hearing.

Ms. London advised there was no need for an Executive Session.

Alt. Commissioner Eke requested Mr. Young to have a copy of the Audit Report delivered to his home.

Commissioner Brokaw moved, seconded by Commissioner Dunn and unanimously approved by the Board, to adjourn the meeting at 6:55 p.m.

Recorded by:

Roslyn P. Mathis, Board Secretary