

**PLAINFIELD MUNICIPAL UTILITIES AUTHORITY**

**Minutes of a Board of Commissioners Special Meeting  
Tuesday, April 29, 2014**

**127 Roosevelt Avenue  
Plainfield, New Jersey**

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

Commissioner Mitchell, Chairman, called the meeting to order at 3:00 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 Carol Ann Brokaw  
Commissioner Malcolm R. Dunn  
Commissioner Harold Mitchell  
Commissioner Cecil H. Sanders, Jr.  
Commissioner Charles Tyndale

**Also Present**

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

Alt. Commissioner Charles Eke      absent

**IV. EXECUTIVE DIRECTOR'S REPORT**

Mr. Williamson advised this is a Special Meeting and the only matters to be discussed today are the two items that are on the agenda

**A. Resolution Authorizing the Execution of a Contract for the Rock Avenue  
Interceptor Sanitary Sewer Replacement**

Mr. Williamson said that regarding this resolution, Commissioner Tyndale cannot be involved in discussion or the vote because of the fact that the Port Authority, where he works, presently has a contract with the lowest bidder on this project.

Mr. Williamson said there has been a discussion regarding replacement of the sewer line in Plainfield that carries approximately 50 percent of the sewerage here in town. He said that line needs to be replaced. On April 17, 2014 the Authority had a bid opening, and there were 10 companies that bid on the project. The lowest bidder was Tomco Construction, Inc., Mt. Arlington, N.J., in the amount of \$1,225,109.40.

The Committee's recommendation, after review, is to award the contract to Tomco Construction, the lowest responsible bidder for that amount. He said administration is asking the Board to approve the award to them. Mr. Williamson said the representative from CME is present if the Commissioners have any questions.

Commissioner Brokaw inquired of the Board's Facilities Committee to give their opinion of the bid process and their conclusions.

Commissioner Sanders responded that the Committee did meet last week, they reviewed the bids, at least three low bidders, and they were informed that everything seemed to be in order. He said the cost that made this bid about \$100,000 or so over the original estimate was clearly related to the contaminated soil issue that was addressed during the bid process as an amendment, so the Committee was comfortable with that. Commissioner Sanders said that they were also told this bid has a bid bond and a performance bond, so there is a safety factor for the PMUA if by chance the contractor defaults on the contract.

Mr. Williamson added that the engineers checked the references that were submitted by the lowest responsible bidder, and they were satisfied with those responses from the references. He said it appears this particular company does have the ability to address this project.

Commissioner Dunn inquired of Mr. Dziubeck if CME had ever been involved with this company before.

Mr. Dziubeck replied no.

Commissioner Dunn inquired if he had ever heard of them before.

Mr. Dziubeck replied this company has been involved in bidding on other projects, but they weren't the low bidder so they were never awarded a contract.

Ms. London presented **resolution #49-2014 authorizing the execution and award of a contract for the Rock Avenue Interceptor project.** Commissioner Brokaw moved, seconded by Commissioner Sanders, approval of the resolution. The motion carried, on a roll-call vote, with four members in favor, one member not voting, and none opposed.

**RECORDED VOTE****Resolution #49-2014 Tomco Construction, 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>

**B. Action to Approve a Shared Services Agreement with the Roselle Board of Education**

Mr. Williamson said that administration has been involved in negotiations with the Roselle Board of Education with regard to providing a service for them involving picking up their type 10 wet garbage, and to some extent type 13, bulky waste. He is proud to announce the Roselle Board of Education reviewed the contract at their meeting last night and approved it, with seven in favor, one opposed, and one abstention; only five votes were needed. Mr. Williamson said the administration is asking the Board of Commissioners to accept the challenge that has been put on the table, approve this contract, and allow the Authority to provide this service outside of Plainfield. Mr. Williamson said it is his belief that this would be the spring board to encourage other towns to engage the PMUA to provide service to them as well.

Commissioner Mitchell inquired if the Executive Director had received correspondence concerning dumpsters being stolen and others being damaged.

Mr. Williamson replied yes, and the Authority is in the process of billing them for a one-yarder container that was removed from the football field. He said the cost is approximately \$360.00 for the container, and they will be billed for that. He said a replacement would be provided, and regarding the geography of the location, the type of container would be less attractive.

Commissioner Mitchell inquired who is paying for it, the Board of Education or the Borough of Roselle.

Mr. Williamson replied, the arrangement is the Borough of Roselle would pay for the cost of the setup, and therefore it is his belief the Borough of Roselle will pay for that particular item.

Commissioner Mitchell inquired if Mr. Williamson had received correspondence with regard to that.

Mr. Williamson replied that he has not received any correspondence, but he has had a conversation with the City Administrator.

Commissioner Sanders inquired if the PMUA's legal counsel and other interested parties had time to review the changes in the contract.

Mr. Williamson responded yes, and the red-line copy was sent to all of the Commissioners approximately 10 days ago so they could see the changes that were made, and it was also done with the counsel for the Board of Education; everyone had it in time to be reviewed, and the response back from the Board of Education was to congratulate the Authority on the professionalism that has been exhibited in the preparation of this contract. Mr. Williamson said the Authority is satisfied with the language and the Board of Education is as well.

Ms. London said there were very few changes in the draft, and the changes reflected the Commissioners' comments at the last meeting. She said what they saw is what the Commissioners have and they approved it.

Commissioner Sanders inquired about the key issue.

Mr. Williamson said the Authority's staff and the Board of Education's maintenance staff will have a key. The Board will be able to unlock the containers for loading, and relock them; the Authority's staff will be able to unlock, load, and relock. Mr. Williamson said Mr. Chambers, from the PMUA, will go to the Board of Education to have a rehearsal to make sure everyone is on the same page.

Commissioner Tyndale inquired what the net amount on this contract is; he said the gross is \$60,000.00.

Mr. Williamson replied that most of the \$60,000.00 is money that would come to the Authority. He said the way it was configured, a lot of the things that will be done, the Authority does anyway, so it would not be expenses that would come to the Authority, so the bottom line would be roughly around the \$60,000.00.

Commissioner Tyndale stated that the purpose is to earn funds for the efficient operation of the Authority, and also the expectancy of reducing rates for the Plainfield residents, not to have money to spend outside.

Mr. Williamson said it has always been the intention of the Authority to develop as much revenue as possible. He said this contract would not be enough by itself to allow the Authority to reduce rates, but it is their objective to go out to other towns, and there are several the Authority is having discussions with, to encourage that kind of relationship that will ultimately streamline the operation and become even more efficient.

Commissioner Dunn said this is a historical step forward, that the Authority has exhibited enough confidence to have these services offered and accepted and congratulated by the customer outside of the City of Plainfield the way it was handled is noteworthy regarding the progress that has been made since he and the late Mayor McWilliams worked to create this agency. He wished the administration the best of luck because he believes there is the possibility that ultimately the original intent to expand this agency successfully enough to be able to take 50 percent of the excess revenue and give it back to the City so there would be a tax relief for the citizens will happen. Commissioner Dunn congratulated management and staff.

Mr. Williamson said the ISA does have a formula in it regarding sharing with the City, and once the Authority reaches those levels, they will be happy to abide by that.

Commissioner Sanders inquired if this is noteworthy enough to do some publicity for it.

Mr. Williamson said the Authority has contacted the appropriate people in Roselle, the Mayor and some other people who were helpful and responsible, they discussed setting up a press conference; it's just a matter of time.

Commissioner Mitchell wanted the Board to be aware that Assemblyman Green was involved by speaking to the Mayor of Roselle on the Authority's behalf and also speaking to other towns. He wanted to give kudos to the Assemblyman.

Mr. Williamson said yes, the Assemblyman was the person who brought him together with the appropriate people in Roselle and as a result of that, this began to unfold, and the Assemblyman has made himself available to help the Authority with other towns. Mr. Williamson said at the appropriate time, when the public announcement is made, the Assemblyman will be involved.

Ms. London mentioned that the two votes on the Board of Education, the one opposed and the one abstention were because they felt the Borough should be doing the work.

Ms. London presented **resolution #50-2014 authorizing the approval of a shared services agreement with the Roselle Board of Education.** 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 #50-2014 Shared Services Agreement**

	<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. PUBLIC HEARING**

Commissioner Mitchell inquired if there was anyone present from the public who would like to speak; if so, please stand, give their name and address, and they would be given two minutes.

Commissioner Dunn inquired about the cost the Authority may have incurred because implementing the Interceptor project took longer than expected, since the discussion began in 2012; at that time the intent was to be finished in 2013, and it was also presented as an emergency situation. He wanted the cost information for the next meeting, including the cost to be advised by CME up to this point.

Commissioner Sanders said part of the delay was related to getting the approvals from the other authorities, and that was a major part of the delay.

Mr. Dziubeck said that's correct. He said getting the approvals took five or six months. He said that once they had the approvals, they went through the finalization of the plans and then they were able to go out to bid.

Commissioner Sanders said those costs weren't costs that the Authority had to absorb, but it would be a good idea to get the costs.

Commissioner Tyndale inquired if there are funds being available for extra work if something unforeseen happens.

Mr. Dziubeck said yes, the bid documents allows for unforeseen work that might come up in the amount of \$30,000.00.

Commissioner Dunn moved, seconded by Commissioner Tyndale and unanimously approved by the Board, to adjourn the meeting at 3:30 p.m.

Recorded by:

Roslyn Mathis, Board Secretary