

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

**Minutes of a Board of Commissioners Regular Meeting
Tuesday, March 11, 2014**

**127 Roosevelt Avenue
Plainfield, New Jersey**

I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)

Commissioner Mitchell, Chairman, called the meeting to order at 6:01 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. @6:03 pm
Commissioner Charles Tyndale
Alt. Commissioner Charles Eke @ 6:10 pm

Also Present

Mr. Daniel A. Williamson, Executive Director
Mr. Duane Young, Chief Financial Officer
Ms. Leslie London, Board Attorney
Mrs. Roslyn Mathis, Board Secretary
Mr. Jeff Bliss, Lerch, Vinci & Higgins
Mr. Mike Dziubeck, CME
Mr. William Reid, City Council
Staff and Public

IV. APPROVAL OF MINUTES – February 11, 2014 Re-Organization Meeting Minutes, and February 6, 2014 Committee Meeting Notes

Commissioner Brokaw moved the minutes of the February 11, 2014 Re-Organization Meeting be approved as distributed, seconded by Commissioner Tyndale. The motion carried, on a roll-call vote, with four members in favor and none opposed.

RECORDED VOTE**February 11-2014 Re-Organization Meeting**

	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				
<u>Alternate</u> Charles Eke					X

Commissioner Brokaw moved the minutes of the February 6, 2014 Committee Meeting Notes be approved as distributed, seconded by Commissioner Tyndale. The motion carried, on a roll-call vote, with three members in favor and none opposed.

RECORDED VOTE**February 6, 2014 Committee 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
Charles Tyndale				X	
<u>Alternate</u> Charles Eke					X

V. COMMUNICATIONS

None.

VI. REPORT OF COMMITTEES

None.

VII. EXECUTIVE DIRECTOR'S REPORT

Mr. Williamson stated he had a couple of matters, but first he wanted to suspend the regular order of business to present former Commissioner Alex Toliver, on behalf of the Board and administration, with a resolution and an item that hopefully will be a reminder to him of his service on the Plainfield Utilities Authority's Board of Commissioners.

(Commissioner Sanders arrived.)

Mr. Williamson called Mr. Toliver forward; however Commissioner Mitchell advised they should wait for Councilman Reid to arrive because he had a presentation from the Council.

The Board proceeded with the agenda while they waited the arrival of Councilman Reid.

A. Attorney's Report

No report.

B. Finance Report and Bills List Approval

Mr. Young indicated that the Commissioners' packets contained the blue sheet with the reports that were attached. He said one of the highlights consisted of the Authority putting into the Renewal & Replacement Reserves (R & R), \$300,000. Mr. Young said that was based on the Authority's performance last year, and they were able to put that amount into the solid waste and sewer R & R.

Mr. Young said that the Authority had an expense in January for the 1st installment for the JIF in the amount of \$196,130; solid waste disposal charges, \$180,515; salaries and wages, \$469,000; and health benefits, \$133,000. He said those disbursements make up about 80 percent of the monthly expenses. Mr. Young said that in the bills list, the largest item is \$100,290, which is the disposal and bulky waste. Mr. Young said that the cash disbursements are in order to the end of the year; they don't have the Authority's budget versus actual for the month of January because they are still closing out the fourth quarter in preparation for the PMUA's annual audit, which will start next week.

Commissioner Mitchell stated there was a discussion regarding the increase in vehicle maintenance and he asked the Executive Director to explain to those in attendance why the expenses were so high.

Mr. Williamson responded that there was a discussion at the Committee Meeting and inquiries made why the amount of the bills, in the neighborhood of approximately \$30,000 for the months of January and February, were so high. Mr. Williamson assured the Board he would look into it and he did.

He said that the answer lies in the confluence of issues that relate to the weather, the age of the fleet, as well as the Authority's drivers who sometimes make poor judgments how the vehicles are used. Mr. Williamson said as a result of the administration's review, there is a need to address the age of the fleet and to replace some of the vehicles that they have in place. Mr. Williamson said Mr. Dilip Akallo, the Authority's fleet manager, was present if the Board would like to have more specific information. Mr. Williamson indicated administration has discussed a plan to lease as many as three vehicles to replace three of the older vehicles at the Transfer Station. Mr. Williamson stated that economically that is something that could be done to save the Authority quite a bit of money.

(Alt. Commissioner Eke arrived.)

Commissioner Mitchell said it wasn't necessary to address Mr. Akallo.

Ms. London presented **resolution #27-2014 authorizing payment of bills**. Commissioner Brokaw moved, seconded by Commissioner Dunn, approval of the resolution. Commissioner Tyndale had a question. He inquired if administration would be ready to present that lease agreement to the Board next month.

Mr. Williamson replied that administration is in the process of finding the money and they are analyzing the various avenues that are available to get that done, and hopefully they will have answers for the Board at the next meeting. Mr. Williamson couldn't say if there would be a lease agreement available at that time, but administration could let the Board know how close they are to getting that accomplished.

Commissioner Dunn inquired if the administration could be prepared to give the Board an idea of the cost for the lease of the vehicles at the next month's meeting.

Commissioner Brokaw indicated that there is a Board committee that's working with the Executive Director's office and looking at doing a complete evaluation so that all of those issues that have been raised by the Commissioners are going to be addressed by that committee.

Mr. Williamson stated that the committee had consisted of Commissioner Sanders and former Commissioner Toliver, but now another Commissioner is needed to fill the vacancy. Mr. Williamson said that there was a meeting approximately three or four months ago and they did go over in detail some of the options available. Mr. Williamson indicated that the staff does continue to monitor those issues and hopefully by the April meeting administration will have some numbers to give to the Board. Mr. Williamson said that once Chairman Mitchell appoints someone to the committee with Commissioner Sanders, he will set up a meeting.

After the discussion, the motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #27-2014 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				
Charles Tyndale	X				
<u>Alternate</u> Charles Eke				X	

Mr. Williamson said that items C and D are two resolutions adopting the Authority's Sewer Budget and Solid Waste Budget respectively. Mr. Williamson stated that before the budgets are presented to the Board for approval, he said that the question was asked at the Committee Meeting whether or not the Authority received any questions from the City regarding the budget. Mr. Williamson advised the Board at the Committee Meeting the only request received was an email to Mr. Young related to sections 201 through 4 inclusive regarding calculating certain charges for the City and for the Authority in terms of the payouts to each other. Mr. Williamson said he was wrong. Mr. Williamson said that he received a letter today from the Corporation Counsel, Mr. Minchello, indicating an email had been sent to Mr. Williamson on or about February 10th from Mr. Ron West, Director of Administration and Finance for the City, and Mr. Minchello attached a copy of the email to his letter, and the email asked whether or not there was any contemplation, going forward in the Authority's 2014 budget or in the future, of additional revenues for the PMUA's Solid Waste and Sewer Budget. Mr. Williamson said that the answer obviously is yes, but he did not see the email. Mr. Williamson said there was also a question regarding the number of households the Authority had on the books, the fact that the numbers had been decreasing, and wanted an answer why that was the case. Mr. Williamson said he did not previously see the email, did not receive a phone call or a letter from the City, and he said he was not previously aware of the request. Mr. Williamson said that the letter he did receive from Mr. Minchello indicated the City is not opposed to going forward with the Authority's budget, but he said Corporation Counsel was bringing it to his attention that the Authority failed to provide information that in the City's judgment may have been helpful in making their recommendations. Mr. Williamson indicated that with the preparation of next year's budget the Authority and the City will be able to set up a procedure to exchange information where they won't have the type of miscommunication that they had in this situation.

Mr. Williamson asked the Board to consider the resolutions regarding the adoption first of the calendar year 2014 Sewer Budget that was previously submitted.

C. Resolution Authorizing the Adoption of the CY 2014 Sewer Budget

Ms. London presented **resolution #28-2014 involving the operations of the CY 2014 Sewer Budget from January 1, 2014 to December 31, 2014.** 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 #28-2014 CY 2014 Sewer Budget

	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				
<u>Alternate</u> Charles Eke				X	

D. Resolution Authorizing the Adoption of the CY 2014 Solid Waste Budget

Ms. London presented **resolution #29-2014 involving the operations of the CY 2014 Solid Waste Budget from January 1, 2014 to December 31, 2014.** Commissioner Tyndale inquired if Mr. Williamson was prepared to answer that request from the City in a timely manner and to have a meeting with them.

Mr. Williamson replied that, as was discussed in the Committee Meeting, the City will be contacted and a request will be made for a joint meeting with the City Council to hopefully be held in the month of April. Mr. Williamson said that administration will be responding to the City's questions prior to that.

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 #29-2014 CY 2014 Solid Waste Budget**

	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				
<u>Alternate</u> Charles Eke				X	

Mr. Williamson indicated that Councilman Reid has arrived, so he asked to suspend the regular order of business and go forward with introducing and lauding former Commissioner Alex Toliver and turned this portion over to the Councilman.

Councilman Reid said it was nice to see everyone here. Councilman Reid said that one of the things he realized in his service over the years is that people are quick to criticize and drag someone through the mud, and when the person leaves everybody says he wasn't a bad guy, and he comes out, and honors are given to him. Councilman Reid said that's why he's here now. He said Mr. Toliver has been a good friend and been a pain sometimes with his service here.

Councilman Reid congratulated Commissioner Tyndale for being the new Commissioner, who is replacing Mr. Toliver, and told him he has some big shoes to fill. Councilman Reid indicated there appears to be an Alternate Commissioner's spot open and he said that could be settled soon.

Councilman Reid read the resolution from the City of Plainfield that was presented to Mr. Toliver. Councilman Reid presented the resolution to Mr. Toliver, who was congratulated and applauded by those who were present.

Commissioner Mitchell asked Ms. London to read the resolution from the PMUA, and she complied. Ms. London read **resolution #35-2014 resolution of the Plainfield Municipal Utilities Authority in recognition of Commissioner Alex O. Toliver on his exemplary service to the Board.**

Mr. Williamson presented the framed resolution to Mr. Toliver, and he also presented him with an engraved clock, as well as his name plate.

Mr. Toliver thanked the City of Plainfield and the PMUA Board of Commissioners for their recognition. He said he had a great time while he was on the Board, he's learned a lot, and as far as he is concerned there are only good feelings in this room,

Mr. Toliver addressed Commissioner Tyndale and said that he had congratulated him and the two of them have already shaken hands before Commissioner Tyndale took his seat. Mr. Toliver again thanked the Board for giving him the time to be there, and he appreciated everything, and he shared that he has opened a club in South Jersey and if they're in the area stop in; it's a huge place where they serve dinner and they have live entertainment.

E. Resolution Authorizing Award of a Contract for General Legal Counsel Services

Commissioner Mitchell called for the resolution.

Ms. London presented **resolution #30-2014 authorizing the award of a contract for General Legal Counsel Services with McManimon, Scotland & Bauman, LLC**. Commissioner Brokaw asked Ms. Hamlin to confirm for the record that the bid process was open, fair, and transparent as it was discussed in the Committee Meeting. Ms. Hamlin replied that yes, she could confirm that the bid process was open and fair. Ms. Hamlin said that the Authority did receive a few phone calls asking if there was an actual proposal. She said it was decided not to prepare a proposal, but the information and qualifications sought for the position were advertised in the newspaper and that was what the Authority required responders to provide in their response.

Commissioner Brokaw inquired if there were two other bidders.

Ms. Hamlin replied yes.

Mr. Williamson said that there also was a committee review process as well.

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 #30-2014 Award of Contract McManimon, Scotland & Bauman, LLC

	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				
<u>Alternate</u> Charles Eke				X	

F. Resolution Authorizing Award of a Contract for Sanitary Sewer Engineering Consulting Services

Mr. Williamson said that the same protocol was used for this particular item as well. Mr. Williamson said that the bids came in, they were reviewed by the committee, and recommendations were made through the administration. Mr. Williamson said that this is the engineering firm that is being recommended for the Board's approval.

Ms. London presented **resolution #31-2014 authorizing the award of a contract for Sanitary Sewer Engineering Consulting Services with CME Associates**. Commissioner Tyndale stated that at the Committee Meeting it was discussed about the possibility of looking at other means of awarding contracts to consultants in terms of not just sticking to familiarity, to look at other options. He just wanted to make sure they follow through on that.

Mr. Williamson stated staff understood perfectly what was said at the Committee Meeting, and that's the thought process going forward.

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 #31-2014 Award of Contract to CME Associates for Sanitary Sewer Engineering Consulting Services

	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				
<u>Alternate</u> Charles Eke				X	

G. Resolution Authorizing Award of a Contract for Solid Waste Engineering Consulting Services

Mr. Williamson said this item was given the same protocol for the bid and review process.

Ms. London presented **resolution #32-2014 authorizing the award of a contract for Solid Waste Engineering Consulting Services with CME Associates**. 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 #32-2014 Award of Contract for Solid Waste
Engineering Consulting Services with CME Associates**

	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				
<u>Alternate</u> Charles Eke				X	

H. Resolution Authorizing Award of a Contract for Vegetative Waste Services

Ms. London presented **resolution #33-2014 authorizing the award and execution of a contract for vegetative waste services to Premier Recycling.** 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 #33-2014 Vegetative Waste Contract to Premier
Recycling**

	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				
<u>Alternate</u> Charles Eke				X	

I. Resolution Authorizing Award of a Contract for Recycling of Metal Goods

Ms. London presented **resolution #34-2014 authorizing the award of a contract for recycling of metal goods to A & A Iron and Metal.** Commissioner Tyndale inquired of Mr. Williamson to please explain the process.

Mr. Williamson said that what the Authority has at this time is an open roll-off on the premises at the Transfer Station. He said what this will do is to take away the open container; it will be a closed container that will be under lock and key. Mr. Williamson said the metal will be put in the roll-off; the company will come and pick up the roll-off, take it to their location, dump and segregate the different types of metal, and pay the Authority the market rate for whatever metal is in there. Mr. Williamson indicated this is another way of having confidence in the flow of metal that comes into the Transfer Station, and the Authority will get the income they deserve.

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 #34-2014 Contract to A & A Iron and Metal**

	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				
<u>Alternate</u> Charles Eke				X	

J. Resolution Authorizing the Board Treasurer, Commissioner Charles W. Tyndale as an Additional Signatory and Removal of former Treasurer, Commissioner Malcolm R. Dunn as an Additional Signatory

Ms. London presented **resolution #36-2014 authorizing changes regarding the Authority's signatory**. 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 #36-2014 Change in Signatory**

	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				
<u>Alternate</u> Charles Eke				X	

Mr. Williamson advised that item K had taken place earlier regarding former Commissioner Alex Toliver.

Mr. Williamson had a couple of items with regard to the Rock Avenue Interceptor project; he advised the Board that the bids went out and they have had 12 responses; he said there seems to be a great deal of interest in providing that service.

Ms. Hamlin advised that's what has been received so far, there could be more.

Commissioner Mitchell inquired as to when the bids will be closed.

Ms. Hamlin replied Tuesday, March 25th.

Commissioner Dunn inquired of Mr. Williamson since the bid process will be open up to Tuesday, is it customary to discuss that and have those documents available.

Mr. Williamson replied that administration will not be going into detail; what the names are, he advised that this is the number who has responded so far.

Ms. Hamlin clarified that these are only the individuals who have purchased the bid package in the amount of \$100 each; that's all the list entails.

Ms. London advised that the people who actually commit could be much shorter, but the money paid for the bid documents isn't returned.

Mr. Williamson said staff will report back to the Board in the April meeting.

Mr. Williamson said that the last item, the Authority has received an award and Mr. Reno Wilkins can explain what that is.

Mr. Wilkins said this is in regard to what he mentioned at the last meeting; he said it's a presentation of a safety award from the insurance fund concerning compliancy, meetings and various training that was held last year. Mr. Wilkins said that every February there's a safety breakfast and awards are issued.

Mr. Williamson advised that staff wanted to report the Authority has done well again; Mr. Wilkins has been able to bring it back every year that Mr. Williamson has been here.

Mr. Williamson advised the Board that Ms. London has a very fine article in the Authority View Newsletter having to do with the public websites and all of the requirements, and it was passed on to the Authority's staff to make sure the PMUA complies with the requirements.

Ms. London said that there are two articles in the Newsletter.

Mr. Williamson advised that he will make sure the Board receives copies of the article.

VIII. UNFINISHED BUSINESS

None.

Commissioner Dunn stated that since Jeff Bliss, from Lerch, Vinci, & Higgins is present, he said that he was probably available to answer any questions they might have regarding the budget. Commissioner Dunn said that he asked Mr. Young a question regarding the \$300,000 the Authority has set aside as a reserve contribution to the R & R fund.

Mr. Young advised that the \$300,000 was a result of last year's operations that made it possible for it to be placed in the R & R. Mr. Young said the question that was asked in the Committee Meeting was did the Authority allocate money to be put in the R & R for this budget year. Mr. Young said he looked up the answer and the Authority didn't allocate anything this year to put in the R & R; he said it's a tight year and a tight budget. Mr. Young said administration is projecting utilizing about \$450,000 of the solid waste R & R specifically for equipment and trucks, and in order to balance the budget on the sewer side they have to utilize about \$54,000. Mr. Young said that even with the \$300,000 they were able to put in the R & R based on last year, depending on the success of how things transpire this year, maybe the Authority won't have to utilize all of the money that administration thought would be needed to come out of the R & R and possibly there will still be money to put into the R & R; but budgetarily, the Authority didn't budget any money to feed into the R & R this year.

Commissioner Dunn inquired if the \$300,000 was left over from last year.

Mr. Young said that it was a result of a good operating year that it could be put in the R & R. Mr. Young said the Authority needs vehicles and other solid waste equipment, and the same thing with sewer; the Authority has to have a contingency in case something comes up with the Interceptor. Mr. Young indicated that it was prudent if the Authority has a good year, balance the budget, and put the \$300,000 in there; he said they don't know what is going to happen this year.

Mr. Bliss confirmed what Mr. Young said and added that the Authority had cost savings in other areas of the budget, and administration took those cost savings and put it back in the reserve rather than taking the money out as they originally intended to do in 2013.

IX. NEW BUSINESS

None.

Commissioner Mitchell inquired of Mr. Williamson if the salary adjustments and raises information that was given to the Finance Committee for 2013 could now be given to the Committee for 2014.

Mr. Williamson replied that he didn't think there were any, but if there are, he will give the information to the Finance Committee.

X. PUBLIC HEARING

Commissioner Mitchell said they have come to the time where anyone who would like to speak, please stand, give your name and address, and they will be given two minutes to be heard.

Bernice Paglia, 124 E. Seventh St. Ms. Paglia inquired whether, regarding the budget passage, there would be any affect on the rates for solid waste or sewer or will there be a separate rate hearing.

Mr. Williamson responded that the rates have been stabilized; they are unchanged on both sides for 2014.

Councilman Reid congratulated the Board for doing a relatively good job; he said it brought back old memories for him. Councilman Reid said that the Council is moving along and they are trying to replace someone that's been requested by their leader, and it appears another person is needed to serve as an alternate. Councilman Reid said the last time the Council didn't approve any one and then they approved Commissioner Tyndale, and he said it appears the Board has put him to work right away.

Councilman Reid indicated that some days the Council has a difficult job with advice and consent, and there are inquiries why the Council asks certain questions. Councilman Reid said he led the questioning at the meeting where the Council rejected all of the Mayor's recommendations for the PMUA because he felt there are certain things that should continue and be done and Councilman Reid wants to be absolutely sure that all of the Commissioners that are recommended would not be in the position to say they are going to come and shut the PMUA down completely and return it to the City because he didn't think it would work in the City.

Councilman Reid said the Council will do their job as best they can and they accept criticism from everyone and he encouraged the critics as well as the supporters to come to the Council Meeting.

Councilman Reid named the Boards and the number of years he has served on each one. He said he has been on the Council since December of 2007 and this will be his last year. Councilman Reid said that he is not running and he said he could be quoted for saying that. Councilman Reid announced there will be a meeting of the Plainfield Democratic Committee on Friday, March 14th and he said hopefully there will be some good candidates selected as a result of that meeting.

Councilman Reid acknowledged that Plainfield has a good Mayor and he shared the Mayor's credentials as well as his years of service in the various positions. Councilman Reid said that as a result of the Mayor's experience, there should be some good things coming out of Plainfield.

Councilman Reid continued to speak about his life in Plainfield, the loss of Muhlenberg Hospital, and he said that as long as they can assist the Mayor, his administration, the Plainfield Municipal Utilities Authority and their administration and the Board of Commissioners, and try to resolve some of the issues that come up, he said they will be alright.

Commissioner Mitchell thanked Councilman Reid.

Alan Goldstein, 939 Madison Ave. Mr. Goldstein said that tonight is the 17th anniversary of a special City Council Meeting that was held at the City library a week before the Council voted for the first time on the Interlocal Agreement. He said they brought out the lawyers and engineers and representatives of the Authority at that time to make a presentation to the public and in that meeting Mr. Glen Scotland, McManimon, Scotland, and Bauman, Mr. Goldstein said this is how the minutes read: the Authority will make lease payments to the MUA, he explained, the 1998 payment will be \$812,000 to the City. Mr. Scotland corrected himself explaining that the Authority will make lease payments to the City not the MUA as previously stated.” Mr. Goldstein said he referred to section 203 and an additional \$2.3 million lease payment that would be made to the City for the lease of the Rock Ave. Transfer Station. Mr. Goldstein said it’s the difference between the amount being budgeted, disposal cost by the City, and the total amount of disposal cost. Mr. Goldstein said that’s a short little synopsis of section 203B.

Mr. Goldstein claims there was never any \$2.3 million lease payment even though, he claims that the Interlocal Agreement specifies a lease payment. He further claimed that it immediately became a \$100,000 payment by the City of Plainfield to the PMUA.

Mr. Goldstein also stated that several months ago he received a response from counsel and in his opinion is fabrication why there is no lease payment.

Mr. Goldstein said the discussion in front of the public at that hearing talks about a lease payment, the Interlocal Agreement talks about a lease payment. Mr. Goldstein said there are other details in there also including submitting a budget to the City for review, which he said Executive Director Williamson said was being done for the first time ever, although 1997, 17 years ago, the City and the public and the City Council were told that would be happening.

Mr. Goldstein claims the solid waste portion of the budget that was approved tonight, as well as the City budget which is going to be coming up and they’re going month by month right now, includes that \$100,000. In Mr. Goldstein’s opinion the whole Interlocal Agreement is suspect because this is a central part. Mr. Goldstein claims there are a lot of issues. He further claims, this is a serious issue that has gone on since the beginning of time as far as the PMUA is concerned. Mr. Goldstein claims everyone is happy; the Authority is giving the City some money, the City is giving the Authority some money. He claims this issue concerning 203B, it’s severed the interconnectivity between the City and the PMUA. Mr. Goldstein said former Mayor Fury referred to it as an autonomous agency.

Mr. Goldstein acknowledged the resolution approving the renewing of the contract with the firm's general counsel and the Authority's continuing relationship with its financial advisors, Lerch, Vinci & Higgins. In his opinion, they need to be replaced. Mr. Goldstein claims that if the Board goes through the financial statements from 1999 through 2002, they could see the texts and notes, which in his opinion are being massaged; he said take out any mention of that solid waste, and he claims the City decided to change the Agreement. In his opinion this Agreement never worked, he claims it was changed overnight and further claims that the City started referring to the sewer lease as revenue sharing.

Commissioner Mitchell advised Mr. Goldstein to conclude his statements.

Mr. Goldstein said they need to renegotiate this Agreement so it's fair to the employees. In his opinion the employees have taken it on the chin with big layoffs. He claims there has been a reduction in staff by 30 percent; he claims that there has been freezing of wages and furloughs. He said the Board should get their act in gear and if they're not willing to do it they should step off this Commission.

Commissioner Tyndale advised that he has been reading the Agreement and he said it is a bit convoluted, but to avoid further outbursts like this, in their meeting with the City they need to bring up that whole Agreement and revisit it.

Mr. Williamson said that the Agreement is lengthy and has a lot of layers to it, but what happens is they should rely on the people involved in the negotiations to interpret it, and the Authority has leaned on counsel for their direction and advice, and of course the City, they were represented by legal counsel as well. Mr. Williamson said the document wasn't submitted without both entities going back and forth and reaching an agreement. Mr. Williamson said as far as adherence to the terms and conditions of the document, he takes it back to the issue with regard to the budget; Mr. Williamson said the process that has been used during his tenure is the process that has been used since day one, and by that he is saying that wasn't done unilaterally, it was a need to have involvement by the PMUA and the City of Plainfield. Mr. Williamson said that there's been a series of administrations along the way, but all of those administrations have been satisfied with the process that has been in place. Mr. Williamson gave a very detailed explanation regarding the pros and cons of revisiting the Interlocal Agreement, however at the end of his presentation he said if that's what should be done, he is willing to do that.

Commissioner Mitchell closed the Public Hearing and inquired if there is a need for an Executive Session.

Mr. Williamson replied yes.

Commissioner Dunn commended Councilman Reid for attending the meeting; at the last three meetings there have been three members of the City Council present, and in one case two at one time. He said they should keep up the good work.

Ms. London presented **resolution #37-2014 authorizing a meeting not open to the public for the purpose of discussion concerning contract negotiations with the Roselle Board of Education.**

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 #37-2014 Executive Session**

	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				
<u>Alternate</u> Charles Eke				X	

The Board adjourned into Executive Session at 7:20 p.m.

The Board returned to the public session of the meeting at 7:40 p.m.

Recorded by:

Roslyn Mathis, Board Secretary