

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

**Minutes of a Board of Commissioners Rescheduled Regular Meeting Minutes
Tuesday, December 15, 2015**

**127 Roosevelt Avenue
Plainfield, New Jersey**

I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)

Commissioner Tyndale, Chairman, called the meeting to order at 6:00 p.m. by reading the Statement of Compliance.

II. SALUTE TO THE FLAG

The Pledge of Allegiance was said by all.

III ROLL CALL

Present

Commissioner Carol Ann Brokaw
Commissioner Jacinth Clayton-Hunt @6:05pm
Commissioner Michelle Graham-Lyons
Commissioner Henry V. Robinson
Commissioner Charles W. Tyndale
Alt. Commissioner Robin Bright
Alt. Commissioner Pedro Estevez

Also Present

Mr. Daniel Mejias, Executive Director
Mr. Duane Young, Chief Financial Officer
Mr. Frank Borin, Board Attorney
Mrs. Roslyn Mathis, Recording Secretary
Staff and Public

IV. APPROVAL OF MINUTES – October 27, 2015 Executive Session Minutes; November 5, 2015 Committee Meeting Minutes; November 5, 2015 Executive Session Minutes; November 10, 2015 Regular Meeting Minutes; and November 10, 2015 Executive Session Minutes.

Commissioner Brokaw moved that the minutes be accepted as distributed, seconded by Commissioner Graham-Lyons. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE **October 27, 2015 Executive Session Minutes, November 5, 2015 Committee Meeting Minutes; November 5, 2015 Executive Session Minutes, November 10, 2015 Regular Meeting Minutes; and November 10, 2015 Executive Session Minutes**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt					X
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright	X				
<u>2nd Alternate</u> Pedro Estevez				X	

V. COMMUNICATIONS

None.

VI. REPORT OF COMMITTEES

Finance Committee – Mr. Mejias stated that the Finance Committee did meet and asked Mr. Young to update the Board with what was briefly discussed.

Mr. Young confirmed the Finance Committee met last week and they discussed the time the budget will be submitted to the State as well as the adoption of the budget. He said that they covered the four resolutions that are required for adoption at this meeting. Mr. Young indicated that the Board will vote on the introduction of a temporary budget for sewer and solid waste as well as Chapter 159, which is required by the State to amend the Authority's budget. He said that was the gist of what was covered in the Finance Committee Meeting, and invited anyone who attended the meeting to add anything he may have missed.

Commissioner Brokaw said that they are meeting tomorrow at 5 p.m.

Mr. Young confirmed the time of the meeting and said they will introduce the budget to the Finance Committee.

Commissioner Tyndale inquired if they were still looking at February to adopt the budget.

Mr. Young replied yes, the timeline is still the same; he said they will introduce the budget in January to the full Board, it will be submitted to the State from there; he said that the State requires 30 days to review it so hopefully they should be ready to adopt the budget in February.

Personnel Committee – Mr. Mejias said that the Personnel Committee met. He said that items that were discussed included continued in-services that they are having with the staff to go over operational and procedural matters.

He said that they discussed briefly the organizational chart, which will probably be submitted simultaneously with the budget.

Mr. Mejias said that there was a need to retain a laboratory that will handle the Authority's DOT mandated drug and alcohol tests and the PMUA is also getting management members re-certified for reasonable suspicion should there be a need.

Lastly, Mr. Mejias said that they discussed union negotiations, which the contract is due to expire on December 31st this year. He said that union negotiations will take place on December 22nd.

Buildings and Operations Committee – Mr. Mejias said that the committee met to discuss some operational matters with regard to equipment at the Transfer Station; the signage that is proposed for the front of the building continuing with the Authority's re-branding, and that concludes the report of the Buildings and Operations Committee Meeting.

(Commissioner Clayton-Hunt arrived here at 6:05 p.m.)

Commissioner Tyndale asked Mr. Mejias to elaborate about the equipment at the Transfer Station.

Mr. Mejias responded that there was an issue they had with one of the back hoes; he said that it sustained some mechanical issues and the Authority received a hefty bill for the repair of that. He said that they were discussing their plans to go forward with that repair.

VII. EXECUTIVE DIRECTOR'S REPORT

Mr. Mejias introduced Mr. Eric Bernstein, who is the new Conflict Counsel, and asked him to give a brief overview.

Mr. Bernstein thanked Mr. Mejias and the Commissioners, and said that they appreciate the opportunity for him and his firm to serve as Conflict Counsel. Mr. Bernstein stated that his firm has had experience with the City of Plainfield going as far back as when Mr. Gibson, who was present at the meeting, was there, over 30 years. He said that his firm does a significant amount of work in the municipal, or government field, land use, labor, employment, Authority, and administrative work, and currently represents a number of public entities throughout the State and are literally up the road in Warren, and they welcome the opportunity.

Commissioner Tyndale asked Mr. Bernstein there is no conflict with the City, is that right?

Mr. Bernstein replied no conflict.

Mr. Mejias said that with the Joint Insurance Fund there was a training course that was held at the League, and will also be available online for any of the Commissioners who did not have an opportunity to take it. He said that by the Commissioners taking the course, it will give the Authority a \$250.00 credit towards the Authority's premium. Mr. Mejias said that the Commissioners who need to complete the training course will be contacted individually with login information and instructions as soon as the net on-line session becomes available; he said the course takes about 10 – 15 minutes to be completed.

Commissioner Tyndale stated that he was able to do it at the Authority's Front Street office, and asked if that offer is available to any other Commissioners who may need to go there to do it.

Mr. Mejias replied yes.

Mr. Mejias reported that the PMUA was represented at the League of Municipalities in Atlantic City; he said that they had a booth, and that some good prospects were attracted to the booth regarding shared services. Mr. Mejias said that the Authority is looking to expand their shared services, and later on in his report the Commissioners will see that the Authority is communicating with the town of Westfield; he said that they have expressed an interest in using the PMUA's facility; he said there will be a resolution this evening for the Board's blessings to further negotiate with them, but there has been discussion regarding the terms and scope of services, and they appear to be very interested.

Mr. Mejias said that with respect to shared services, the Township of Greenbrook has extended their contract with the PMUA for their Type 23 vegetative waste for another year.

Mr. Mejias reported that another issue that has surfaced is PMUA carts have been stolen from residents' homes that are located in the Myrtle Ave. area and one of the questions that was posed by Commissioner Clayton-Hunt was whether or not there was a charge for the carts, and he said that in researching that, if the carts are damaged or destroyed due to customer's negligence, there is a \$65.00 replacement fee; but if it is stolen, and there is a police report, they are replaced at no charge.

Commissioner Tyndale inquired if the resident has to file a police report.

Mr. Mejias replied that if they file a police report and contact the Authority, they will check it out, but replace it at no charge.

Mr. Mejias said that with regard to on-going projects, the Authority has been continuing with in-house training programs; he said that they have recently conducted a workshop concerning office etiquette and workplace conduct for no other reason than the fact that there has been some re-location of personnel into different departments and they wanted to make sure that they had a clear and concise understanding of what the rules are with respect to this change.

Mr. Mejias indicated that with regard to the New Jersey Clean Communities Council, he said that the missing reports have been completed, they are now up-to-date, and they have been sent out, with copies forwarded to the City of Plainfield for their records.

Mr. Mejias said that lastly, the preliminary 2016 budget has been prepared and will be discussed tomorrow with the Finance Committee; he said that concludes the Executive Director's Report.

Commissioner Tyndale indicated on the shared services, and special projects, he wanted the Executive Director to do an evaluation to see how well the Authority is doing with the Interlocal Agreement, in terms of the tonnage, and all of that, he wanted to make sure that entire issue, that they put their arms around it so that they have an idea of how it's going so far.

A. Attorney's Report

Mr. Borin said that there are a few items for Executive Session, so at this time they will address the resolutions on the agenda.

Mr. Borin presented **Resolution #119-2015 authorizing the negotiation of a Shared Services Agreement with the town of Westfield for solid waste and recycling services**, moved by Commissioner Brokaw that the resolution be accepted as read, but she had a question; seconded by Commissioner Robinson.

Commissioner Brokaw wanted to make sure that she was clear on this; she said that she read through the material that she received; she inquired if it's for Type 13 and Type 13C, in both cases, is the City of Westfield supposed to deliver that material to the Transfer Station.

Mr. Mejias responded that there are two options; he said that there is an option where they could deliver it and an option where the Authority could place their equipment on their property and haul it for them; the Type 13, Type 13C and Type 10 also.

Mr. Borin added that it is their intention to consolidate all of this into one Agreement, the Type 10, Type 13 and Type 13C with either delivery to the Transfer Station, or having a container placed on site for them to put their waste in.

Commissioner Brokaw inquired if the financial staff has confirmed, with respect to both options, it's not a problem.

Mr. Young responded that it is not a problem; he said that they ran the numbers with regard to the costs of disposal and what the charge is; he said it's definitely to the Authority's advantage.

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

RECORDED VOTE**Resolution #119-2015 Shared Services Agreement - Westfield**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #120-2015 authorizing payment of bills**. Commissioner Brokaw moved that resolution #120-2015 be approved as submitted, seconded by Commissioner Clayton-Hunt. Commissioner Brokaw said that with respect to the bills list, she had her ongoing question about maintenance repairs for the trucks, and she was told they were going to have a report by the end of the year. Commissioner Brokaw inquired if they were still on target for that report.

Mr. Mejias responded yes.

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

RECORDED VOTE**Resolution #120-2015 Payment of Bills**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin said that the next series of resolutions are related resolutions that the CFO spoke of earlier. The first one is **resolution #121-2015 requesting approval for the insertion of a special item of revenue in the 2015 budget pursuant to N.J.S. 40A:4-87 (Chapter 159 P.L. 148)**. Commissioner Brokaw moved that resolution #121-2015 be accepted as read, but she thought for the record they do need to have a little bit of an explanation with respect to what this is.

Mr. Young responded that with respect to Chapter 159, there are two of them; one for sewer and one for solid waste; he said that this is required by the State. Mr. Young stated that anytime they modify the budget that has been submitted to the State, they have to submit a Chapter 159 modification. He said that on the sewer side, the budget was modified by \$300,770.00 because the Authority had unspent funds associated with the Interceptor project, so they have to roll that number into the 2015 budget carried over from 2014 as it relates to that project. He said that they have modified the budget to include those dollars.

Mr. Young said that on the solid waste side, the Authority modified the budget by \$1,245,000.00 because the PMUA increased their revenue by taking in more receipts at the Transfer Station and municipal buildings, but also they had expenses associated with those so it wasn't just a matter of revenue, he said that they had expenses to offset that which came from bulky waste. Mr. Young said they increased the revenue, but increased expenses in both areas; also \$430,000.00 of that was from Renewal and Replacement funds; he said because of the equipment, the big ticket items that were purchased; so the total \$815,000.00 plus the \$430,000.00 gives the \$1,245,000 increase to the solid waste budget.

Mr. Young said this is a formality that is required by the State to submit a Chapter 159 modification when the budget has been modified.

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

RECORDED VOTE**Resolution #121-2015 Chapter 159 Sewer System Revenues**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #122-2015 requesting approval for the insertion of a special item of revenue in the 2015 budget pursuant to N.J.S. 40A:4-87 (Chapter 159 P.L. 148)**, moved by Commissioner Brokaw that resolution 122-2015 be accepted as submitted, seconded by Commissioner Graham-Lyons. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #122-2015 Chapter 159 Solid Waste System Revenues**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #123-2015 approval of a 2016 temporary budget for the sewer system in the amount of \$2,245,741.00**, moved by Commissioner Brokaw that resolution #123-2015 be accepted as submitted, seconded by Commissioner Graham-Lyons. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #123-2015 Temporary 2016 Budget - Sewer**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #124-2015 approval of a 2016 temporary budget for solid waste in the amount of \$3,164,760.00**, moved by Commissioner Brokaw that resolution #124-2015 be accepted as submitted, seconded by Commissioner Clayton-Hunt. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #124-2015 Temporary 2016 Solid Waste Budget**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #125-2015 amending award of a contract to PC Scale, Inc., now known as AMCS Group, for the purchase of tower software and related services**. Mr. Borin said that there was an inadvertent error in the resolution that was passed by the Board in the last meeting; only a portion of their proposal was included in that contract award. He said that they are amending the resolution to reflect the entirety of their proposal; he said that also they submitted an amendment to their pricing breakdown, which on an annual basis remains the same, and also reflecting the new name of the company.

At this point, Commissioner Tyndale advised the public that the resolutions being presented have been discussed previously in detail in the Board's Committee Meeting; he said that's why they are just voting on them without discussion because they have already been discussed in detail. He said that the Committee Meeting is where they would see the actual discussion take place.

After the discussion, Commissioner Robinson 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 #125-2015 Amended Resolution PC
Scale/DBA/AMCS Group**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #126-2015 authorizing the extension of a contract with Service Tire Truck Centers for provision of tire purchase and repair services**, moved by Commissioner Robinson, seconded by Commissioner Clayton-Hunt, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #126-2015 Extension Contract with Service Tire
Truck Centers**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #127-2015 authorizing the extension of contracts with MGL Forms-System, LLC D/B/A MGL Printing Solutions, and Express Printing for the provision of printing services**. Mr. Borin noted that in a discussion before the meeting with the Qualified Purchasing Agent, together they thought it was best to extend the contract by two months because of the holidays and with the quick turnaround in order to rebid this contract it would be very tight to have adequate time to go through the bidding process.

Commissioner Graham-Lyons inquired if Mr. Borin was going to make the change in the resolution.

Mr. Borin replied yes.

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

RECORDED VOTE **Resolution #127-2015 Extension of Contract with MGL Forms-System, LLC D/B/A MGL Printing Solutions and Express Printing**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #128-2015 authorizing the extension of a contract with American Wear, Inc. for the provision of work clothes and uniform rental services**, moved by Commissioner Clayton-Hunt, seconded by Commissioner Graham-Lyons, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE **Resolution #128-2015 American Wear, Inc.**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #129-2015 authorizing the renewal of a contract with Cartegraph Systems, Inc.** Commissioner Robinson moved, seconded by Commissioner Graham-Lyons, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #129-2015 Cartegraph**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #130-2015 authorizing award of a contract for vehicle parts and supplies with Associated Auto Parts.** Commissioner Graham-Lyons requested the name of the company on the resolution be corrected to reflect Associated Auto Parts and not Associated Auto Arts.

Mr. Borin will make that correction.

Commissioner Brokaw moved that resolution #130-2015 be accepted as corrected, seconded by Commissioner Robinson. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #130-2015 Associated Auto Parts**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

Mr. Borin presented **resolution #131-2015 authorizing execution of a contract with Fastest Labs for the testing of CDL workers**, moved by Commissioner Brokaw that resolution #131-2015 be accepted as submitted, seconded by Commissioner Clayton-Hunt. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #131-2015 Fastest Labs**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

VIII. PUBLIC HEARING

Commissioner Tyndale invited anyone who would like to make a statement or ask a question to please stand, give their name and address and they will be given three minutes to do so.

Bernice Paglia, 124 E. Seventh St. Ms. Paglia was curious about the sewer capacity study regarding the Sleepy Hollow developers on South Ave.

Mr. Mejias responded that was completed and the Authority found the current system had adequate capacity for that development and other future developments.

Alan Goldstein, 939 Madison Ave. Mr. Goldstein welcomed Mr. Young back to the fold, and said he had a little job for him; maybe he could follow-up on the spread sheet regarding the administrative cost comparison he sent to him almost three years ago, that he said he would get back to him and he never did. Mr. Goldstein said that he had done an analysis comparing the PMUA's administrative expenses and their two budgets to approximately 62 other Authorities' budgets here in the State of New Jersey where he found that the PMUA's numbers are sky high whereas the average was 14 percent or so for that figure and the weighted average was under 11 percent, he said the PMUA's was 25 percent, which seemed to be excessive. Mr. Goldstein said that when he checked the 2015 budget, the numbers were the same as when he had done the analysis that included the 2012 budget.

Secondly, he would like to remind the Board of Commissioners the City has an ordinance, 1117-5 conflict of interest, basically prohibits officials, of which PMUA Commissioners are, or any employees, having any personal or financial interest in any business or transaction with any public body in the City. He said that was violated to some degree several years ago when one of your Commissioners received a demolition contract and two other Commissioners went around peddling a real estate transaction to the City Council, Planning Board and Housing Authority. He said that hopefully if there are any situations currently, that those are disclosed.

Mr. Goldstein said that finally, Chairman Tyndale made a cryptic comment about the Interlocal Agreement concerning get their arms around it and he wondered if he would elaborate about that.

Commissioner Tyndale responded that he asked the Executive Director previously to give them an indication how they are doing with the services being provided to the City and he's been working at it, and Commissioner Tyndale further stated that he asked the Director to get his arms around it to get a feel of what they are offering the City; are they are getting paid; he said it's a two-way street.

Commissioner Tyndale inquired of Mr. Goldstein if in his administrative cost analysis is he including the labor costs of the workers or administrative staff, or everybody.

Mr. Goldstein replied he is just including the way it's presented to the State in the Authority's budget, in appropriations, administrative cost, personnel, salary and wages, other expenses; he said that some of those are itemized, there are different schedules.

Commissioner Tyndale wondered if the other budgets Mr. Goldstein compared with the PMUA's, if they had the same type of operation.

Mr. Goldstein indicated that all Authorities are based on the lines regarding the budget. He was sure there's going to be some variances.

Mr. Mejias stated that the question he had was to ensure that they are following up with an apples to apples comparison; he inquired if Mr. Goldstein was looking at authorities that had both solid waste and sewer divisions.

Mr. Goldstein responded some cases yes and some cases no; he said there aren't that many that does both; he said some have Transfer Stations and some don't, but it seemed to him they should be able to get that 25 percent down. He said that to him the areas of expenses seemed high and it might be an area to be looked at in terms of trying to get some costs down. Mr. Goldstein said that everyone in the community would like to see the rates stay the same, which, he said, they have been basically, or go down. He said the Authority has gotten to a plateau here unless there are other changes they have done through attrition and layoffs.

Commissioner Tyndale thanked Mr. Goldstein.

Mr. Young stated to Mr. Goldstein if he could resend the report to him again, he would appreciate it.

Mr. Young indicated that the State budget form provides a format for allocating costs, but that other Authorities may allocate certain costs to different line items. Mr. Young said that, without looking at that report in detail, and making sure they are comparing apples to apples, there has to be some differences. He would have to see the report to see what Mr. Goldstein did. Mr. Young said if Mr. Goldstein sends the report to him, after he completes the budget he'll take a look at it and see what the variances are.

Barry Goode, 935 Melrose Place. First he thanked Commissioner Brokaw for suggesting resolutions 121 and 122 be explained to the public because they don't always know what's going on; he said that there are a lot of resolutions and a lot going on.

Mr. Goode had a question for the Director; he indicated that Mr. Mejias mentioned something about the receptacles being stolen; Mr. Goode's question was what the figure on that is.

Mr. Mejias responded about half a dozen. Mr. Mejias said that prior to him getting here, there was an issue that is currently being investigated, he said that there was a large quantity that had disappeared and it's still under investigation, but it's about a half a dozen right now. He said that they want to be pro-active to see if they could isolate this; he stated that they have a team going out at various hours to see if there's any movement of the carts.

Mr. Goode's said there are a lot of residents in the City who, after the receptacles have been emptied, they leave them where they are until the next pickup. He said that it's unattractive to leave them on the sidewalk. Mr. Goode stated that he has seen people come out of their homes and take the trash to the sidewalk and put it in the container and the next trash pickup isn't for a few days. He indicated that they make it quite easy to come up and steal the container if it's just sitting there. Mr. Goode said that there are people in his neighborhood who leave their containers out until the next pickup. He stated that the PMUA guys are out and about, but not the times when some things are going on, from the First Ward down to the Fourth.

Mr. Mejias responded that with regard to the containers, it's not the Authority's responsibility to put them back in the alleyway.

Mr. Goode said that something should be done.

Mr. Mejias said there is an ordinance where the inspectors could levy a fine, but it's not the intent of the Authority to hit the citizens in their pockets; he said that could put a negative spin on the PMUA. He said the Authority now has a My Waste app; the PMUA could use their newsletter and internet to try to get the message out again. He didn't want it to be a point that the PMUA is fining people for their containers unless it's necessary.

Mr. Goode said that he understood it's an ongoing thing, but going into other towns he didn't see it. He indicated that he has personally seen it throughout the City of Plainfield.

Commissioner Tyndale said that maybe they could have the inspectors issue a warning and then a ticket after that if the manpower would allow it.

Commissioner Tyndale agreed with the Director's assessment that it could be a negative reflection on the PMUA if they began fining the citizens for that.

Mr. Goode stated that he has had people speak to him about this situation.

Commissioner Tyndale indicated to Mr. Goode that he has brought this to their attention, but it's not necessarily the responsibility of the PMUA to do this. He said that the Authority does have a program in place and they will issue warnings and tickets, but it's the citizens' responsibility to take care of their own.

Commissioner Brokaw said that they have a Block Association on her block and the way they deal with it is they send out emails letting people know when they're supposed to put the leaves to the curb for collection, and reminding them of garbage pickups.

Mr. Goode said that he is the President of his Block Association and the ones they have the problem with are the ones that don't come to the meetings and the ones who don't give their emails.

Kim Montford, Manager of Customer Service Department. Ms. Montford said that there is another alternative; one of the problems may be these are more than one-unit properties. She said that they are looking at tenants to be responsible for what the owners of the property would be liable for. Ms. Montford said that in addition to what has been talked about here, the municipality also has an encroachment ordinance that would apply to the owner of the property and may provide another avenue for addressing this problem.

Commissioner Tyndale said to Mr. Goode that maybe his Block Association could give the Authority the names of the people who habitually do this.

Mr. Goode indicated he was referring to the situation citywide, not just his block.

Commissioner Tyndale said the Board will now adjourn into Executive Session.

Mr. Borin presented **resolution #132-2015 providing for Executive Session in accordance with the provisions of the New Jersey Open Public Meetings Act to discuss matters related to personnel, litigation and contract negotiations**, moved by Commissioner Clayton-Hunt, and seconded by Commissioner Brokaw. The motion carried, on a roll-call vote, with five members in favor and none opposed.

	<u>RECORDED VOTE</u>		Resolution #132-2015 Executive Session		
	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Carol Ann Brokaw	X				
Jacinth Clayton-Hunt	X				
Michelle Graham-Lyons	X				
Henry V. Robinson.	X				
Charles W. Tyndale	X				
<u>1st Alternate</u> Robin Bright				X	
<u>2nd Alternate</u> Pedro Estevez				X	

The Board adjourned into Executive Session at 6:55 p.m.

The Board returned to the Public Session at 7:12 p.m.

Commissioner Tyndale summarized the Executive Session; he said that during the brief Executive Session the Board discussed the PARSA appointment; he said that they need to move ahead with that; it's been a while since they have had a PARSA representative. He said it was mentioned that there is an ongoing litigation between the Mayor and the Council regarding the appointment. Commissioner Tyndale said the Board will have to wait and pursue that in whatever way possible.

Commissioner Tyndale said that the next issue concerned a labor relations issue where a particular employee has been claiming discrimination as a reason for dismissal, and it has to be reviewed by Labor Counsel.

Commissioner Tyndale said that the Authority's e-waste situation has changed because New Tech, which is the vendor, is no longer moving the product for free, and there may be a fee to the residents or they may have another way of disposing the e-waste starting January 1.

Commissioner Brokaw moved, seconded by Commissioner Graham-Lyons and unanimously approved by the Board, to adjourn the meeting at 7:15 p.m.

Recorded by
Roslyn Mathis, Recording Secretary

HENRY V. ROBINSON
BOARD SECRETARY

SEAL