

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

**Minutes of the Board of Commissioners Regular Meeting
Tuesday, July 12, 2016**

**127 Roosevelt Avenue
Plainfield, New Jersey**

I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)

Commissioner Robinson, Chairman, called the meeting to order at 7:00 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 Robin Bright
Commissioner Carol Ann Brokaw
Commissioner Michelle Graham-Lyons
Commissioner Henry V. Robinson
Commissioner Charles W. Tyndale
Alt. Commissioner Pedro Estevez

Also Present

Mr. Daniel Mejias, Executive Director
Mr. Duane Young, Chief Financial Officer
Mr. Kevin Conti, Board Attorney
Mrs. Roslyn Mathis, Recording Secretary
Mr. Spencer T. Pierini, P.E., Maser
Staff and Public

IV. APPROVAL OF MINUTES – June 14, 2016 Regular Meeting Minutes and June 14, 2016 Executive Session

Commissioner Bright moved that the June 14, 2016 Regular Meeting Minutes and June 14, 2016 Executive Session Minutes be accepted as presented with the correction, as noted in the Committee Meeting, that Commissioner Tyndale **would have to abstain from this vote because Montana is working on a project for him** (not Maser) seconded by Commissioner Tyndale. The motion carried, on a roll-call vote, with three members in favor, none opposed, and two abstentions.

RECORDED VOTE

**June 14, 2016 Regular Meeting Minutes and June 14, 2016
Executive Session Minutes**

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

V. COMMUNICATIONS

Mr. Mejias discussed three communications that were received: one from a Plainfield resident to be discussed in Executive Session; one from the Better Business Bureau regarding a complaint that was filed against PMUA regarding a situation at the Transfer Station, where it was determined another vehicle may have had its front wheels on the scale while the customer who had been there twice in the same day resulting in the weights of the vehicle being significantly different. The customer put a stop payment on the check before PMUA could issue a credit and also filed the complaint with the Better Business Bureau. After discussion with the Better Business Bureau, the matter was resolved with all concerned parties.

The third communication concerned PMUA agreeing to a request from the Plainfield Salvation Army to transport bikes and helmets that were being donated to the Salvation Army on Watchung Avenue for distribution to the community.

VI. REPORT OF COMMITTEES

- **Finance Committee**

Mr. Young had no report, but he did distribute the first quarter compilation for the period ending June 30, 2016 and said that revenues and expenses were in line for the first quarter of this year.

- **Personnel Committee**

Mr. Mejias reported the Committee reviewed Labor Counsel's opinion regarding a labor matter, which will be discussed in Executive Session.

Also, there were two EEOC charges from former employees affected by the most recent restructuring that will be discussed in Executive Session.

Commissioner Bright inquired if there was any update on the labor contract. Mr. Mejias replied that matter will be discussed in Executive Session.

- **Buildings & Operations Committee**

Mr. Mejias reported there is a need for the installation of a concrete pad to house the stationary compactor to be used for the storage and transportation of cardboard; the Committee also discussed the plan to go forward with retaining the services of a towing company to manage the issue of illegally parked vehicles in the PMUA headquarters' parking lot. Even though there has been improvement in that regard, PMUA is going ahead with the formality of posting signs on the property warning that unauthorized vehicles will be towed.

VII. EXECUTIVE DIRECTOR'S REPORT

Mr. Mejias reported PMUA is in the process of updating their customers' contact information. A contact information form was sent out with the billing requesting customers review and update of their contact information, thereby allowing PMUA to communicate better with the customers and also prepare PMUA to initiate an electronic billing process in an effort to go paperless with their invoices.

Mr. Mejias reported there was discussion in Trenton with NJDEP regarding issues of vehicles coming to PMUA's Transfer Station without the proper identification, and NJDEP advised that PMUA is responsible to monitor the frequency of passenger vehicles coming across the scale because, if there is a high frequency of non-solid waste vehicles using the Transfer Station, NJDEP views that as conducting business, and those vehicles need to have the proper registration documentation to deliver waste for disposal at the Transfer Station.

Commissioner Tyndale inquired if the licensing is issued by NJDEP. Mr. Mejias replied it's a NJDEP decal, a five digit placard that is put on the windshield.

Commissioner Robinson inquired if NJDEP will have someone available to come to PMUA to assist with the application process for the decal. Mr. Mejias indicated that at the meeting it was discussed to have a representative of PMUA go to NJDEP's Trenton office to be trained how the applications are to be filled out properly so PMUA's employees could assist in the completion of the application.

Mr. Mejias reported next that there was discussion regarding the Shared Services Agreement with Fanwood that was approved by Fanwood. There is going to be a meeting with the Mayor on Thursday to go over the materials that are going to be distributed. One of the Mayor's requests was to use green instead of blue containers and, in response it was stressed to the Mayor that blue is synonymous with recycling and green is synonymous with garbage, so the parties will have to work on that issue.

Mr. Mejias said that the 2015 audit is now available on the PMUA website.

Mr. Mejias reported the PMUA has combined Public Information with Sales and Marketing for more efficiency.

He said the Environmental Fair is going well; the sponsorships have been coming in, and one of the main attractions from last year will be returning - the New Jersey Mobile Museum and Aetna is covering the expense for that.

Mr. Mejias reported the rented mobile Sealand trailers that are located at Cottage Place and used for storing PMUA's files are being consolidated with the help of the summer interns. He said PMUA has started purchasing containers outright as opposed to renting them and they are consolidating two more that will be returned. PMUA has put in place a Records Retention employee, who is responsible to categorize the files and communicate with the State to find out what the requirements for storing materials and for destroying records.

The last item Mr. Mejias reported on was the union negotiations, which will be discussed in Executive Session.

A. Attorney's Report

Mr. Conti didn't have anything to report in open session.

B. Administration

Mr. Mejias didn't have anything to report.

C. Finance Report

Mr. Young reported the bills list is \$2.8 million to \$2.9 million with a \$730,000 check for PARSA. He said it is also time to cut the check to the City for the lease in the amount of \$1.686 million. Mr. Young indicated that this year is unlike previous years where PMUA had to borrow from its reserves because they won't have to borrow funds this year as they have the available cash.

Mr. Conti presented **Resolution #75-2016 authorizing the payment of bills.** Commissioner Brokaw moved that the Resolution #75-2016 authorizing approval of the bills list be accepted as read, seconded by Commissioner Graham-Lyons. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #75-2016 Payment of Bills

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

D. Purchasing Department

Mr. Conti presented **Resolution #76-2016 awarding a contract for the provision of improvements to the Clinton Avenue Siphon Chamber Access to Montana Construction Corp.** Commissioner Graham-Lyons moved that Resolution #76-2016 be approved as read, seconded by Commissioner Brokaw. The motion carried, on a roll-call vote, with four members in favor, none opposed, and one abstention.

RECORDED VOTE

Resolution #76-2016 Contract for Montana Construction Corp.

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

Mr. Conti presented **Resolution #77-2016 awarding a contract for the provision of recycling collection containers to Cascade Engineering.** Commissioner Robinson inquired how the wording will appear in the resolution with the understanding nothing goes forward with this until after the Agreement with Fanwood is signed.

Mr. Conti advised they could hold the resolution, or they could amend the resolution as part of the consideration for the vote, and then they could add to that resolution a verbal amendment.

Commissioner Brokaw stated the resolution statement basically says it gives the Executive Director the right to enter into an Agreement with Cascade, but doesn't mandate it.

After discussion Commissioner Brokaw moved that Resolution #77-2016 be authorized as read, seconded by Commissioner Bright. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #77-2016 Cascade Engineering

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

Mr. Conti presented **Resolution #78-2016 authorizing the award of a contract to Beyer Ford for the purchase of two 2016 Ford F-250 trucks through State contract.** Commissioner Brokaw moved that Resolution #78-2016 be accepted as read, seconded by Commissioner Tyndale. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE Resolution #78-2016 Beyer Ford

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

VIII. UNFINISHED BUSINESS

Mr. Mejias said none to report.

Commissioner Robinson inquired where PMUA stands with regard to the issue with Landmark Development, and the sewer connection fees. Mr. Mejias replied a letter was sent to them and there has been dialogue back and forth. PMUA had to present an interest rate for the connection fees and Landmark agreed to the amount owed, and requested a one-year payout with interest. The first payment is due soon.

Mr. Conti advised that General Counsel is reviewing the means of securing what effectively is an accounts payable, either through a lien or some sort of mortgage. In the event this amount isn't paid, there would be a lien on the property that allows the PMUA to be paid.

Mr. Mejias' concern is most of these properties are owned by limited liability companies and he wanted PMUA to receive a personal guarantee because, if the property goes into bankruptcy, PMUA can't put a lien on the property, and he was trying to get that issue clarified.

IX. NEW BUSINESS

Mr. Mejias said none to report.

X, PUBLIC HEARING

Commissioner Robinson invited any member of the public who had a desire to speak to please stand, give their name and address, and they will be given three minutes.

Seeing no one, Commissioner Robinson called for the Resolution to go into Executive Session.

Mr. Conti presented **Resolution #74-2016 providing for Executive Session in accordance with the provisions of the New Jersey Open Public Meetings Act.** Commissioner Tyndale moved that Resolution #74-2016 be accepted as read, seconded by Commissioner Graham-Lyons. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE Resolution #74-2016 Executive Session

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

The Board adjourned into Executive Session at 7:35 p.m.

The Board returned to the public session of the meeting at 8:02 p.m.; Commissioner Robinson summarized the Executive Session discussion, indicating the Board discussed an employee compensation issue, two EEOC complaints that had been filed, a customer’s request, and a contract with the City of Linden.

Commissioner Graham-Lyons made a motion, seconded by Commissioner Tyndale and unanimously approved by the Board, to adjourn the meeting at 8:05 p.m.

Recorded by:

Roslyn Mathis, Recording Secretary

Commissioner Robin C. Bright
Board Secretary

SEAL