

RESOLUTION NO. 79-2012

**RESOLUTION OF THE PLAINFIELD MUNICIPAL
UTILITIES AUTHORITY AUTHORIZING
PAYMENT OF BILLS**

WHEREAS, a Monthly Bills List, a copy of which is attached hereto, has been presented to the Authority by the Authority's Chief Financial Officer for payment; and

WHEREAS, the Authority has reviewed the Bills List and has authorized payment; and

WHEREAS, funds for this purpose are available as set forth in the Certification of Funds of the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Chief Financial Officer is hereby authorized to pay the items set forth on the Monthly Bills List which is attached hereto and made a part hereof.

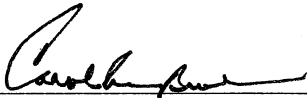
3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	x				
Rev. Tracey Brown	x				
Malcolm R. Dunn	x				
Harold Mitchell	x				
Alex Toliver	x				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)					x

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Rescheduled Meeting thereof duly called and held on Wednesday, September 12, 2012.



CAROL A. BROKAW, SECRETARY

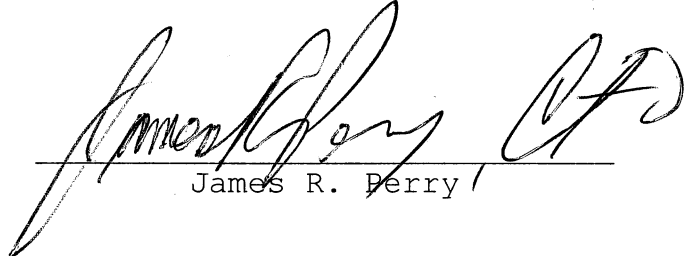
**CERTIFICATION OF FUNDS
BY
CHIEF FINANCIAL OFFICER
REGARDING MONTHLY
BILLS LIST**

JAMES R. PERRY, of full age, hereby certifies as follows:

1. I am the Chief Financial Officer of the Plainfield Municipal Utilities Authority (the "Authority") and am charged with the responsibility of maintaining the financial records of the Authority.

2. I have determined that sufficient funds are available in the current account 2012 Budget of the Authority for the payment of the Monthly Bills List set forth in the attached Resolution.

3. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



James R. Perry

DATED: September 12, 2012

RESOLUTION NO. 80-2012

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE AWARD OF A CONTRACT FOR ROCK AVENUE TRANSFER
STATION IMPROVEMENTS

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority issued a Request for Bids for Rock Avenue Transfer Station Improvements for the Authority's Solid Waste System pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and received three (3) bids on August 29, 2012, in response to the Request for Bids; and

WHEREAS, the bids were reviewed by the Authority's Qualified Purchasing Agent and T&M Associates, the Authority's Solid Waste consulting engineers, and reviewed as to legal sufficiency by In-House Counsel; and

WHEREAS, said review revealed that the lowest responsive bid was submitted by Hahr Construction located in North Plainfield, New Jersey in the amount of \$86,000.00; and

WHEREAS, as set forth in the attached Certification of the Authority's Chief Financial Officer, adequate funds are available for the award of this contract.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby authorizes the award to and execution of a contract with Hahr Construction in an amount not to exceed \$86,000.00.

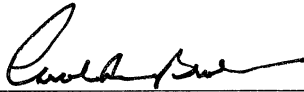
3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	x				
Rev. Tracey Brown	x				
Malcolm R. Dunn	x				
Harold Mitchell	x				
Alex Toliver	x				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)					x

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CAROL A. BROKAW, SECRETARY

**CERTIFICATION OF FUNDS
BY
CHIEF FINANCIAL OFFICER**

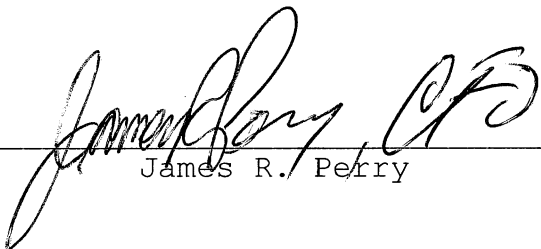
JAMES R. PERRY, of full age, hereby certifies as follows:

1. I am the Chief Financial Officer of the Plainfield Municipal Utilities Authority (the "Authority") and am charged with the responsibility of maintaining the financial records of the Authority.

2. I have determined that sufficient funds are available in the Solid Waste Account of the Authority for the Services pending approval under Resolution No. 80-2012.

3. The services will be properly charged to the Operating Account of the Authority and shall not exceed the amounts set forth herein.

4. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



James R. Perry

DATED: September 12, 2012

RESOLUTION NO. 81-2012

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING PAYMENT TO MONTANA CONSTRUCTION CORPORATION FOR
EMERGENCY SEWER REPAIRS TO PUTNAM AVENUE

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, by Resolution No. 92-2011 of the Authority adopted on December 13, 2011, the Authority awarded a contract to Montana Construction Corporation ("Montana Construction") for emergency repair services for the Authority's sanitary sewer system; and

WHEREAS, as set forth in the August 9, 2012 Committee Meeting, the Authority's Sewer consulting engineers, CME Associates, advised the Authority to repair a void in the earth surrounding the sewer main on Putnam Avenue; and

WHEREAS, the Authority will use the services of their emergency repair contractor, Montana Construction, to repair the sewer main break in Putnam Avenue; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined that the value of the services will not exceed \$25,000, which is within the budgetary limits of the contract award; and

WHEREAS, as set forth in the Certification of Funds of the Authority's Chief Financial Officer, adequate funds are available for this amount.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby authorizes payment to Montana Construction in the amount not to exceed \$25,000 for emergency repair services for the Authority's sanitary sewer system.

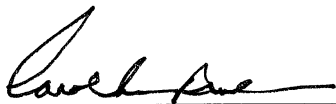
3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	x				
Rev. Tracey Brown	x				
Malcolm R. Dunn	x				
Harold Mitchell	x				
Alex Toliver	x				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)					x

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Rescheduled Meeting thereof duly called and held on Wednesday, September 12, 2012.



CAROL A. BROKAW, SECRETARY

**CERTIFICATION OF FUNDS
BY
CHIEF FINANCIAL OFFICER**

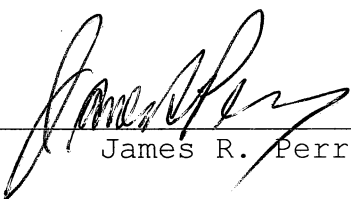
JAMES R. PERRY, of full age, hereby certifies as follows:

1. I am the Chief Financial Officer of the Plainfield Municipal Utilities Authority (the "Authority") and am charged with the responsibility of maintaining the financial records of the Authority.

2. I have determined that sufficient funds are available in the Sewer Waste Account of the Authority for the Services pending approval under Resolution No. 81-2012.

3. The services will be properly charged to the Operating Account of the Authority and shall not exceed the amounts set forth herein.

4. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



James R. Perry

DATED: September 12, 2012

RESOLUTION NO. 82-2012

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
TO REDUCE RATE FOR TYPE 23 WASTE

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., (the "MUA Law") and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, for the reasons discussed by Staff, there is a desire to reduce the rate currently charged by the Authority for solid waste Type 23 accepted by the Authority at its Transfer Station/MRF; and

WHEREAS, the new reduced rate proposed by Staff will be \$6.50 per cubic yard, instead of the current rate of \$28.54 per cubic yard; and

WHEREAS, the Authority's Solid Waste Collection Tariff, which became effective October 31, 2011, permits the Authority to charge rates up to the maximum set forth in the Tariff, which is \$43.80 per cubic yard, provided notice is submitted to the New Jersey Department of Environmental Protection, of the rate change, prior to the commencement of the change.

NOW, THEREFORE BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby approves the reduction in the rate charged for Type 23 waste to \$6.50 per cubic yard. The rate change shall be effective as of September 17, 2012, which is a date after the anticipated date of the notice to be received by the DEP of the rate change.

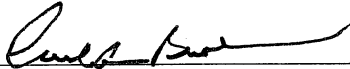
3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	x				
Rev. Tracey Brown	x				
Malcolm R. Dunn	x				
Harold Mitchell	x				
Alex Toliver	x				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)					x

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Rescheduled Meeting thereof duly called and held on Wednesday, September 12, 2012.



CAROL A. BROKAW, SECRETARY

RESOLUTION AUTHORIZING EXECUTIVE SESSION

RESOLUTION NO. 83-2012

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETING ACT, N.J.S.A. 10:4-12

WHEREAS, the Plainfield Municipal Utilities Authority is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Plainfield Municipal Utilities Authority to discuss in a session not open to the public certain matters authorized by N.J.S.A. 10:4-12b with respect to:

1. Review of proposed amendment to form of Employment Agreement for Comptroller approved at the August 17, 2012 Meeting.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

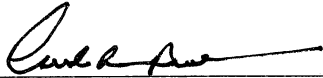
1. The Plainfield Municipal Utilities Authority assembled in public session during a Regular Reschedule Meeting held on September 12, 2012 and determined that an Executive Session closed to the public should be held for the discussion of the matter designated above.

2. It is anticipated that the deliberations conducted in Executive Session may be disclosed to the public upon the determination of the Plainfield Municipal Utilities Authority that the public interest will no longer be served by such confidentiality.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	x				
Rev. Tracey Brown				x	
Malcolm R. Dunn	x				
Harold Mitchell	x				
Alex Toliver	x				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)	x				

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Rescheduled Meeting thereof duly called and held on Wednesday, September 12, 2012.



CAROL A. BROKAW, SECRETARY

RESOLUTION NO. 84-2012

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING AN AMENDMENT TO THE PROPOSED FORM OF EMPLOYMENT
AGREEMENT WITH THE COMPTROLLER AND AMENDMENT TO EMPLOYMENT
AGREEMENT WITH THE EXECUTIVE DIRECTOR

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "MUA Law"), to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, by Resolution No. 78-2012, the Authority approved a proposed form of Employment Agreement between the Authority and Mr. Young, effective retroactive to July 1, 2012; and

WHEREAS, Mr. Young, through his counsel, has proposed certain revisions to the proposed form of Employment Agreement; and

WHEREAS, the proposed revisions have been reviewed by the Board of Commissioners and the Board desires to approve same; and

WHEREAS, for consistency, the Board desires to make the same revisions proposed for the Agreement with Mr. Young with respect to the following Sections of the Agreement, 2.2, 2.4, 3.1 and 3.2 to the Employment Agreement with the Executive Director, as discussed by General Counsel.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby authorizes and approves the proposed revisions to the proposed form of Employment Agreement between the Authority and Mr. Young, as discussed by General Counsel.

3. The Authority hereby also authorizes and approves the same proposed revisions with respect to Sections 2.2, 2.4, 3.1 and 3.2 to Mr. Williamson's Employment Agreement with the Authority.

4. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

5. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	X				
Rev. Tracey Brown				X	
Malcolm R. Dunn	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)	X				

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at a Regular Rescheduled Meeting thereof duly called and held on Wednesday, September 12, 2012.



CAROL A. BROKAW, SECRETARY