

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

**Minutes of the Board of Commissioners Combined Committee and Regular Meeting
Thursday, August 15, 2019**

**127 Roosevelt Avenue
Plainfield, New Jersey**

I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)

Commissioner Edghill, 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 Robin Bright
Commissioner Miguel Edghill
Commissioner Pedro Estevez
Commissioner Michelle Graham-Lyons
Alt. #1 Commissioner Marleen Powell
Alt. #2 Commissioner Ron Scott Bey

Also Present

Mr. Eric E. Jackson, Executive Director
Ms. Beverley Morris-Gill, Deputy Director/ CFO
Mr. Kevin Conti, Board Attorney
Mrs. Roslyn Mathis, Recording Secretary
Staff and Public

Commissioner Henry V. Robinson

Absent

Chairman Edghill advised tonight is a Combined Committee and Regular Meeting.

IV. APPROVAL OF MINUTES – July 18, 2019 Committee/Regular Meeting Minutes and Executive Session with no corrections. Commissioner Bright moved adoption of the minutes, seconded by Commissioner Graham-Lyons. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

July 18, 2019 Combined Meeting Minutes and Executive Session

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Robin Bright	X				
Miguel Edghill	X				
Pedro Estevez	X				
Michelle Graham-Lyons	X				
Henry V. Robinson					X
<u>Alternate #1</u> Marleen Powell	X				
<u>Alternate #2</u> Ron Scott Bey				X	

V. COMMUNICATIONS

Executive Director Jackson advised that communications will be discussed in the Executive Director’s Report.

VI. REPORT OF COMMITTEES

- Finance Committee

Deputy Director Morris-Gill reported the Finance Committee did not meet this month, but she updated the Board on the second quarter compilation, which is currently being prepared by Lerch, Vinci & Higgins.

Ms. Morris-Gill advised last month there was a discussion with Lerch, Vinci & Higgins and General Counsel of commercial solid waste rates not recovering PMUA’s costs and the procedures required to be followed to adjust PMUA’s recycling and bulky waste rates for commercial contracts. Ms. Morris-Gill reported PMUA is in the process of reviewing the contracts with municipalities to determine whether they are in the best interests of PMUA in terms of rates for the services and recovery of costs.

Ms. Morris-Gill indicated that the State Comptroller’s Office had advised PMUA in the context of their audit that its follow-up report had been submitted for quality control review, and that the quality review department is currently backlogged and won’t be able to complete its review in the near future. They apologized for the delay, and advised once the report is received the next step is to discuss the determinations contained in the report, but are unable to provide a timeline for completion of the report.

Commissioner Graham-Lyons inquired about last month's report that discussed the possibility of increasing the gate rate and asked whether there has been any progress on that. Ms. Morris-Gill responded that was the subject of the discussion with Lerch, Vinci & Higgins and General Counsel, and they are looking at the rates, with the possibility of a rate hearing at the October public meeting. Staff and the consultants are scheduled to meet after Labor Day to discuss the next steps with regard to the gate rate and recycling costs.

Commissioner Graham-Lyons also inquired about the issue of picking up excess garbage. Ms. Morris-Gill responded that Staff is discussing solutions, including fines, to address the problem. Staff will, most likely consult with the Board at its September meeting concerning people who are not recycling or are putting out excessive amounts of garbage, and the effectuation of a fine. She indicated that there are also commercial customers not complying with the solid waste regulations and are examining the imposition of a fine. Executive Director Jackson pointed out that the regulations state a fine of no less than \$250 not to exceed \$1,000. It gives latitude how that issue can be handled.

Commissioner Bright inquired about whether the Fanwood contract was up for renewal or had been extended. Ms. Morris-Gill responded that contract had been renewed and will send Commissioner Bright more information on the contract. Ms. Morris-Gill advised it was renewed under new terms where PMUA would just pick up and dispose, with Fanwood being responsible for the disposal costs, and their carts.

Commissioner Bright inquired about Air Brakes is on the bills list again this month and whether Staff is working to bring that figure down. Ms. Morris-Gill responded they are working on it in many different ways. She said they had a meeting with Air Brakes where it was stressed that PMUA does not like its vehicles to be in the repair shop as often, and would like a quicker turn-around and the availability of a loner during repairs. Ms. Morris-Gill said they also have to make sure Staff is doing the maintenance on the vehicles as required, which should alleviate some of the need to have repairs made by Air Brakes.

Executive Director Jackson advised it's a work in progress that is going to take time. He mentioned that Ms. Morris-Gill has started a strong line of communication with Air Brakes in terms of the need to get the vehicles in and out while monitoring the cost, and he reminded the Board that due to the age of PMUA's vehicles will continue to be a problem until they complete the purchase of new trucks.

Commissioner Graham-Lyons inquired whether Air Brakes could explain why the fleet is constantly out of service. Executive Director Jackson responded that it's due to a multitude of reasons, and while Air Brakes acknowledged it could do some things differently, it asked the PMUA to also perform certain maintenance tasks to minimize repairs. The maintenance issue was discussed at a 5 a.m. meeting this morning that Ms. Morris-Gill and Mr. Chambers had with staff.

Commissioner Bright stated her concern was they have been talking about the repairs costs for several years, especially regarding this vendor. She understands the fleet is aging, but PMUA did buy three new vehicles, and still this bill has not decreased. PMUA cannot continue to absorb these types of repair bills.

Executive Director Jackson responded that when more new vehicles are added toward the end of the year PMUA should see an improvement. Just having the three new vehicles helps to stabilize repair costs because in the two or three months prior they were down in the high 20's and inched back up. Towards the end of the year it should move back down as they add more new vehicles to the fleet.

Commissioner Bright inquired if they are looking at using other vendors. Executive Director Jackson responded Staff are exploring that.

Commissioner Graham-Lyons advised one of the new T-425's has been in the shop a couple of times, and she had requested some information on that. Executive Director Jackson said he would send information to the Commissioners via e-mail.

- Personnel Committee

Executive Director Jackson reported the Personnel Committee met today and discussed the Board of Commissioner's Retreat, focusing on November 19th or 20th, during the League of Municipalities Conference. Ms. Lemon will inform him next week of the date and location of the meeting.

Executive Director Jackson also reported that he provided status updates to the Committee on the collective bargaining agreement and CBA Agreement.

- Buildings & Operations Committee

Executive Director Jackson reported the Buildings & Operations Committee met on August 14th and discussed the Materials Recovery Facility. A presentation will be made at the September public meeting by CME Associates, to provide an overview of the next steps it recommends the Authority take.

The Committee also discussed at length the Muhlenberg Development project. General Counsel, Ron Madison of Maser Consulting, and Staff, are continuing to work toward a resolution. It is anticipated a recommendation will be provided to the Commissioners on the project at the September public meeting.

Executive Director Jackson reported the Committee also discussed the acquisition of two solid waste trucks and other vehicles, and the need to increase new vehicles into the fleet to work on a number of issues.

Commissioner Estevez inquired about the accident that happened at the Transfer Station with the trailer. Executive Director Jackson explained there was an accident at the Transfer Station on Tuesday afternoon where the front leg on a tractor trailer sunk into the asphalt while stationary. Staff took the appropriate measures to secure it and lift it out of the asphalt. They are working with CME Associates to ensure the ground is stable. The hole was not a gaping hole and no one was injured. Commissioner Bright inquired if the trailer was damaged. Executive Director Jackson responded that the damage was very minor.

VII. EXECUTIVE DIRECTOR'S REPORT

Executive Director Jackson advised that PMUA received a letter from AEA, which was attached to his report, requesting action by the Commissioners to oppose two legislative bills: S870 and A539 that would change the impact on public involvement and ratepayer rates with the sale of sanitary sewer systems. AEA requested the Board adopt a resolution that would be sent to the Senate and Assembly showing opposition to these bills.

He inquired as to the will of the Board and Commissioner Bright responded she is absolutely in agreement in moving a resolution forward, but she didn't see a date. Executive Director Jackson responded there was no date listed. Commissioner Bright stated she believes it is important PMUA take a stand by adopting a resolution and having each member of the Board send a letter to their legislator.

Alternate Commissioner Scott Bey advised the Board should direct attention to this to Linda Carter and Nick Scutari, in addition to sending this resolution to the entire Senate and Assembly, and further suggested that it should also be sent to the Mayor.

Chairman Edghill inquired of General Counsel if he had a chance to look at it. Mr. Conti responded that he had only been made aware of the letter from AEA at that moment, but would be prepared to introduce a resolution at the September public meeting if there were no legal issues.

Executive Director Jackson reported that PMUA is still awaiting contact from NJDEP as to the Notice of Violations received; and for which PMUA has requested a hearing to appeal the imposition of penalties.

Executive Director Jackson encouraged the Board to attend the September 7th Environmental Fair, as it would be great to have all of the Commissioners in attendance.

Executive Director Jackson reported Harold Gibson has been ill and asked the Board to keep him in their thoughts.

Commissioner Bright inquired if it would be appropriate to get signatures from attendees at the Environmental Fair on the document from AEA. Executive Director Jackson responded that, while the document would impact the public, he didn't believe the PMUA resolution would be the proper vehicle to demonstrate the public's opposition. He will inquire as to that issue and the time frame for submitting a resolution in opposition to the legislation. He expressed his gratitude the Board is in agreement to oppose these two pieces of legislation and will implement Alternate Commissioner Scott Bey's suggestions after the September meeting.

Chairman Edghill advised they will table the proposed resolution until the next public meeting.

A. Attorney's Report

Mr. Conti advised there weren't any legal matters to report at this time.

B. Administration

None.

C. Finance Department

Mr. Conti presented **Resolution No. 71-2019, authorizing payment of bills.** Commissioner Graham-Lyons moved that Resolution No. 71-2019 be accepted as read, seconded by Alternate Commissioner Powell. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #71-2019 Payment of Bills

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Robin Bright	X				
Miguel Edghill	X				
Pedro Estevez	X				
Michelle Graham-Lyons	X				
Henry V. Robinson					X
<u>Alternate #1</u> Marleen Powell	X				
<u>Alternate #2</u> Ron Scott Bey				X	

D. Purchasing Department

Chairman Edghill inquired if there was any discussion of the resolutions proposed for formal action by the Board. Commissioner Graham-Lyons inquired if the contract with RER was one year or two years and Ms. Hamlin responded it had a two-year term.

After ongoing discussion, Mr. Conti advised these are contracts that should be discussed in closed session if the Commissioners had more questions. He suggested they vote on Resolution 72-2019 Vegetative Waste and go into Executive Session to discuss Resolution 73-2019.

Mr. Conti presented **Resolution No. 72-2019, awarding a contract for vegetative waste recycling and disposal services to RER Supply, LLC**. Commissioner Bright moved that they accept Resolution No. 72-2019 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 #72-2019 RER Supply, LLC

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Robin Bright	X				
Miguel Edghill	X				
Pedro Estevez	X				
Michelle Graham-Lyons	X				
Henry V. Robinson					X
<u>Alternate #1</u> Marleen Powell	X				
<u>Alternate #2</u> Ron Scott Bey				X	

Chairman Edghill advised there are questions regarding the next resolution so the Board needed to go into closed session for that discussion.

VIII. UNFINISHED BUSINESS

None.

IX. NEW BUSINESS

None.

X. PUBLIC HEARING

Chairman Edghill advised they have come to the Public Hearing portion of the agenda and anyone wishing to address the Board should please stand, give your name and address, and you will have three minutes to do so.

Timothy Smalko, Kensington Avenue, inquired what vegetative waste is. Mr. Chambers responded vegetative waste consists of wood, leaves, brush and grass.

Mr. Smalko had several questions about who was responsible for various services between the PMUA and Department of Public Works. Executive Director Jackson explained the difference in responsibilities between the two entities.

Alternate Commissioner Scott Bey suggested Mr. Smalko contact Oren Dabney and go to the City’s website to get his contact information.

At this time Chairman Edghill advised the Board will now go into Executive Session. Mr. Conti presented **Resolution No. 70-2019, providing for Executive Session in accordance with the provisions of the New Jersey Open Public Meetings Act.** Commissioner Bright moved approval of the resolution, seconded by Commissioner Graham-Lyons. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #70-2019 Executive Session

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Robin Bright	X				
Miguel Edghill	X				
Pedro Estevez	X				
Michelle Graham-Lyons	X				
Henry V. Robinson					X
<u>Alternate #1</u> Marleen Powell	X				
<u>Alternate #2</u> Ron Scott Bey				X	

The Board adjourned into Executive Session at 6:35 p.m.

The Board returned to the public session at 6:45 p.m.

Chairman Edghill summarized Executive Session, stating that the Board had discussed a contractual matter.

Mr. Conti presented **Resolution No. 73-2014, authorizing the award and execution of a contract for engineering consulting services with Inner-City Environmental, LLC.** Commissioner Graham-Lyons moved Resolution No. 73-2019 be accepted as read, seconded by Alternate Commissioner Powell. The resolution carried, on a roll-call vote, with four members in favor and one opposed.

RECORDED VOTE

Resolution #73-2019 Inner-City Environmental, LLC

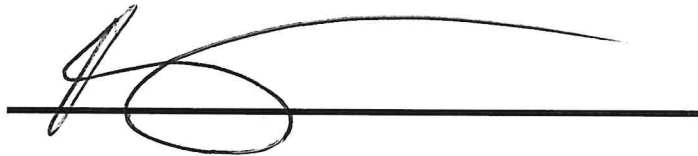
	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
Robin Bright		X			
Miguel Edghill	X				
Pedro Estevez	X				
Michelle Graham-Lyons	X				
Henry V. Robinson					X
<u>Alternate #1</u> Marleen Powell	X				
<u>Alternate #2</u> Ron Scott Bey				X	

Executive Director Jackson mentioned that before the Board adjourned he wanted to acknowledge all of the staff present at tonight's meeting and also all of the staff who have worked extremely hard throughout the hot summer on behalf of PMUA. Chairman Edghill said those comments are supported by the Board, who realize it's not an easy job with the hot and humid conditions, but that Staff's efforts were appreciated.

Commissioner Bright moved, seconded by Commissioner Estevez and unanimously approved by the Board, to adjourn the meeting at 6:47 p.m.

Recorded by:

Roslyn Mathis, Recording Secretary



**COMMISSIONER ROBIN C. BRIGHT
BOARD SECRETARY**

SEAL

