

## **Meeting of January 19, 2012 Maintenance**

A meeting of the Joint Meeting was held on the above date at the Maplewood Municipal Building at 4:00 p.m. Chairperson Leventhal in the Chair.

The Executive Director read the following statement:

Pursuant to Section #5, Chapter 231, P.L. 1975, notice of this meeting has been provided to the public by posting the notice of the meeting of the Joint Meeting on the bulletin board of the Maplewood Municipal Building; by mailing the notice of the meeting to the Star Ledger, The Home News Tribune and to the offices of the Municipal Clerks of the 11 member municipalities of the Joint Meeting and to the City Clerk of the City of Elizabeth and to the County Clerks' Offices of Essex and Union, all on December 30, 2011.

On roll call the following members were present: Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango.

Also in attendance were Messrs. McGhee, Terrezza, Sforza, Barry, Dowhan, Akinokun and Berkeley, Esq. of Joint Meeting; E. Webster and J. Nobel Esq. of Trenk, DiPasquale et al., Joint Meeting's Consultants CME Associates (CME), Birdsall Services Group (Birdsall), AVA Consulting LLC (AVA), Global Logistics Group (GLG) and Mr. A. Adjepong of Public Works Management LLC (PWM), Consultants for the City of Newark.

The Chairperson led the pledge of allegiance.

Counsel Webster swore in the following new members, Mrs. Garretson of Hillside and Mr. Bomgaars of Summit.

Since this is the reorganization meeting, Counsel Webster stated that nominations for the offices of Chairperson, Vice-Chairperson/Secretary and Treasurer would be in order.

Ms. Jones nominated Mr. Rice for the office of Chairperson which nomination was seconded by Mrs. Spango.

Counsel asked if there were any further nominations. There being none, on motion by Mr. Levison, seconded by Mrs. Leventhal, the nomination for Chairperson was closed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

There being only one (1) nominee, on roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none; Mr. Rice was elected Chairperson. (R-001)

The Chairperson stated that nominations were now in order for the office of Vice-Chairperson/Secretary.

Ms. Jones nominated Mr. Green for the office of Vice-Chairperson/Secretary which nomination was seconded by Mr. Bomgaars.

The Chairperson asked if there were any further nominations. There being none, on motion by Mrs. Leventhal, seconded by Mr. Bomgaars, the nomination for Vice-Chairperson/Secretary was closed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

There being only one (1) nominee, on roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none; Mr. Green was elected Vice-Chairperson/Secretary. (R-002)

The Chairperson stated that nominations were now in order for the office of Treasurer.

Mr. Rice nominated Mr. McDermott for the office of Treasurer which nomination was seconded by Ms. Jones.

The Chairperson asked if there were any further nominations. There being none, on motion by Mrs. Leventhal, seconded by Mr. Levison, the nomination for Treasurer was closed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

There being only one (1) nominee, on roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none; Mr. McDermott was elected Treasurer. (R-003)

The Board congratulated Messrs. Rice, Green and McDermott on their election as officers of the Joint Meeting.

The new officers thanked the Board for their support.

On motion by Ms. Jones, seconded by Mr. McDermott, Resolution 004, designating publications as The Star Ledger, Home News Tribune, El Nuevo Coqui and City News Publications; Resolution 005, designating Official Financial Institutions and Resolution 006, designating Bank Signatories were adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mrs. Leventhal, seconded by Mrs. Spango, the minutes of the last meeting were approved as printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Florio, Ms. Jones, Leventhal and Spango; nays, none; abstaining Mrs. Garretson and Mr. Bomgaars.

The **Treasurer's Report** having been mailed to the Board members, on motion by Mrs. Leventhal, seconded by Mrs. Spango, was received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

**Personnel & Procurement Committee:** Mr. Rice stated that the Committee had met, discussed and recommends authorization of the following: General Counsel (R-007); Labor and Employment Counsel/Special Counsel for Pretreatment (R-008); Auditing Services (R-009); Public Relations Services (R-010); amending CME Associates contract for services related to Digester No.2 Cleaning and Modifications (R-011); amending CME Associates contract for services related to Digester Gas Treatment Upgrades (R-012); execution of an agreement with the Great Lakes Environmental Center (GLEC) through the New Jersey Harbor Discharges Group (NJHDG) (R-013); award of a contract to Biorem Environmental, Inc. for furnishing and delivering Iron Sponge Media (R-014); Change Order No. 2 to MBE Mark III Electric, Inc. contract for 2009 Pump and Valve Replacement Project (R-015) and Change Order No. 1 to DMR Construction Services Inc. contract for Service Water System Upgrades (R-016).

On motion by Ms. Jones, seconded by Mr. Levison, Resolution 007, reappointing the Law Firm of Trenk DiPasquale, et al. as General Counsel; Resolution 008, reappointing the Law Firm of Hunt, Hamlin & Ridley as Labor & Employment Counsel/Special Counsel for Pretreatment and Resolution 010, renewal of contract with Zinn Graves & Field Inc. for Public Relations Services were adopted. On roll call; ayes, Messrs. Green McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Jones, seconded by Mr. Levison, Resolution 009, reappointing the Firm of Suplee, Clooney & Company for Auditing Services to perform the 2012 Audit was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none. abstaining, Mr. Bomgaars.

On motion by Mr. Bomgaars, seconded by Mrs. Leventhal, Resolution 011, amending contract with CME Associates for Professional Services related to Digester No. 2 Cleaning and Modifications was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mr. Levison, seconded by Mayor Florio, Resolution 012, amending contract with CME Associates for Professional Services related to Digester Gas Treatment Upgrades was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

Regarding Resolution 013, CME Associates explained that this group was established when EPA tried to mandate new limits on copper, zinc, mercury and lead based on computerized modeling that is not founded on real data. As a result of the studies and analytical work performed by the group EPA did not establish certain limits. This resolution is a request to continue the study on nutrients and pathogens which EPA wants to put new limits on and would be very costly.

On motion by Mr. Green, seconded by Mayor Florio, Resolution 013, authorizing the Execution of an Agreement with Great Lakes Environmental Center through the New Jersey Harbor Dischargers Group was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

With regard to Resolution 014, Joint Meeting's Senior Project Manager explained that the iron sponge is composed of woodchips impregnated with iron oxide (rust) and as the digester gas passes through the vessel that contains the iron sponge media the iron oxide (rust) actually reacts with hydrogen sulfide gas and scrubs out and captures the hydrogen sulfide gas from the digester gas which passes on to the engine and is used as a fuel. It prevents formation of acids that will be corrosive.

On motion by Mr. McDermott, seconded by Mr. Bomgaars, Resolution 014, awarding a contract to Biorem Environmental, Inc. for Furnishing and Delivering Iron Sponge Media was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mr. Levison, seconded by Mrs. Leventhal, Resolution 015, authorizing Change Order No. 2 to contract with MBE Mark III Electric Inc. for 2009 Pump and Valve Replacement Project was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mrs. Leventhal, seconded by Ms. Jones, the **Treatment Plant and Industrial Pretreatment Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mr. McDermott, seconded by Ms. Jones, **Counsel Report, Conflict Counsel Report** and the **Engineer's Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

The Correspondence will be printed in the minutes.

CME Associates explained that Joint Meeting submitted an application to the National Association of Clean Water Agencies for recognition of an outstanding environmental impact project (Co-Generation). Joint Meeting's project won the award and the Executive Director and Mr. Samuel of CME Associates will be going to Los Angeles to accept the award on behalf of Joint Meeting. It is an honor and is national recognition to win this award.

The Chairperson asked if there was anyone wishing to address the Board on any Joint Meeting matter with a five-minute limit. Hearing no one the Public Session was declared closed.

The Chairperson read the following statement which on motion by Mr. Rice, seconded by Mr. Green, was received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

In accordance with Section 7 & 8 of the Open Public Meeting Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances and as the Joint Meeting is of the opinion that such circumstances presently exist as the general nature of the subject matter to be discussed is Litigation and it is anticipated at this time that this subject matter will be made public at a later date.

Upon reconvening on motion by Mr. Green, seconded by Mr. Bomgaars, Resolution 016, authorizing Change Order No. 1 to the contract with DMR Construction Service, Inc. for Service Water System Upgrades was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Jones, seconded by Mr. McDermott, Resolution 017, Payment of Bills was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Garretson, seconded by Ms. Jones, Resolution 018, appreciation to Edward A. Brewer, Jr. and Resolution 019, appreciation to Richard J. Madden were received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

There being no further business on motion by Ms. Jones, seconded by Mr. Levison, the meeting then adjourned to meet again on Thursday, February 16, 2012, at the Maplewood Municipal Building at 4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

Respectfully submitted,

Theodore Green  
Vice Chairperson/Secretary