

Meeting of March 15, 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 Rice 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, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango.

Also in attendance were Messrs. McGhee, Sforza, Barry, Dowhan, Phillips and Berkeley, Esq. of Joint Meeting; E. Webster and J. Nobel Esq. of Trenk, DiPasquale et al., Joint Meeting's Consultants CME Associates (CME), Birdsell Services Group (Birdsell), 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.

A moment of silence was observed in memory of the passing of United States House of Representative Donald Payne.

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

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

Personnel & Procurement Committee: Mrs. Leventhal, Chairperson, stated that the Committee had met, discussed and recommends authorization of the following: award of a contract to Spectraserv, Inc. for Digester No. 2 Cleaning and Modifications (R-030) and award of a contract to Coppola Services for Digester Gas Treatment Upgrades (R-031).

On motion by Ms. Leventhal, seconded by Mr. Bomgaars, Resolution 030, authorizing awarding a contract to Spectraserv, Inc. for Digester No. 2 Cleaning and Modifications was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

CME explained that the Digester Gas Treatment Upgrades project is for the installation of a second gas filter to remove hydrogen-sulfite gas. Joint Meeting only has one (1) tank which means that when the media has to be changed, the system has to be shut down in order to open the tank. Therefore, natural gas is burned for a couple of weeks. By installing a second unit (outdoors) which will be the primary unit, is of a different design and easier to clean. When it does have to be cleaned it will be valved off and run through the existing unit which will enable Joint Meeting to continue to burn Digester Gas. Install gas meters on the Digester Gas line and the natural gas line for each of the 4 engines: this is for 8 additional meters and the interconnecting wiring to the computer system in order

to monitor the amount of gas compared to the amount of electricity being generated by each engine and come up with efficiency analysis.

On motion by Ms. Jones, seconded by Ms. Spango, Resolution 031, authorizing award of a contract to Coppola Services for Digester Gas Treatment Upgrades was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

On motion by Ms. Jones, seconded by Mr. Green, the **2011 Annual User Charge Apportionment, 2011 Operations, 2011 Surplus, 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, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

On motion by Ms. Jones, seconded by Mr. Green, **Counsel, Conflict Counsel 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, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

In answer to a question on Conflict Counsel's monthly report, Counsel Webster stated that after discussing this with them, in the future a monthly report will be submitted.

The Correspondence was received and ordered printed.

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. Green, seconded by Mr. Levison, was received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

In accordance with Section 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 Personnel and it is anticipated at this time that this subject matter will be made public upon reconvening.

Upon reconvening with regard to the Executive Director's amended and restated employment agreement, Counsel Noble explained that paragraph 3(A) will now read from March 15, 2012, employee will be compensated at a rate of \$173,500.00 per annum per each of the four (4) years of the agreement. In addition, in paragraph 3(E) in the title the word longevity payments will be deleted and will now read vacations, holidays, compensatory time, personal and sick days. The next sentence says employee shall receive the same level of vacation, holiday, compensatory time, personal days, sick days, and the accrual and compensation therefore. Also, in that paragraph the reference for longevity payments will be removed. The Board will be provided a copy of the executed contract at the April meeting.

On motion by Mr. McDermott, seconded by Mr. Levison, Resolution 032, Approving an Amended and Restated Employment Agreement for the Executive Director was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

The Executive Director thanked the Board for their consideration and approval of his contract for 2012.

On motion by Ms. Garretson, seconded by Mr. Green, Resolution 033, Transferring of contract with Trenk, DiPasquale, Webster, DellaFera & Sodono, P.C. for General Counsel Services to Genova,

Burns and Giantomasi was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

On motion by Ms. Jones, seconded by Ms. Spango, Resolution 028, Payment of Bills was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

On motion by Ms. Jones, seconded by Ms. Spango, Resolution 029, 2012 Second Quarter Assessment was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

Unfinished business: the Executive Director stated that Joint Meeting was the recipient of the NACWA award for National Environmental. The Executive Director congratulated Joint Meeting's staff who worked not only making the Co-Generation a success but also the continued work that they have been doing together with CME.

New business: the Executive Director stated that upcoming is the NACWA Conference in Philadelphia and the WEFTEC in New Orleans.

There being no further business on motion by Ms. Leventhal, seconded by Ms. Jones, the meeting then adjourned to meet again on Thursday, April 19, 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, Levison, Bomgaars, Florio, Ms. Garretson, Jones, Leventhal, Torres and Spango; nays, none.

Respectfully submitted,

Theodore Green
Vice Chairperson/Secretary