

## Meeting of March 17, 2016 Maintenance

A meeting of the Joint Meeting was held on the above date at the Maplewood Municipal Building at 4:00 p.m. Chairperson Levison 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 and maintaining the annual notice of the regular meetings of the Joint Meeting on the bulletin board of the Maplewood Municipal Building; by mailing the annual notice of the regular meetings for 2016 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' Office of the Counties of Essex and Union, all on December 28, 2015.

On roll call the following members were present: Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Ms. Talmadge, Chaneyfield Jenkins and Mr. D. DeAugustine Hillside's alternate.. Mr. Cirilo arrived at 4:10 p.m. Ms. Burgess notified the office that she would be unable to attend today's meeting

Also in attendance were Messrs. McGhee, Dowhan, Terrezza, Phillips, Barry, Berkeley, Esq. and Ms. DeFrancis of Joint Meeting; E. Webster and J. Noble Esq. of Inglesino, Webster, Wyciskala & Taylor, LLC; Joint Meeting's Consultants CME Associates (CME), AVA Consulting LLC (AVA), Global Logistics Group (GLG), Ms. A. Carollo of Zinn Graves & Fields and Mr. R. Hamlin of Hunt, Hamlin & Ridley.

The Chairperson led the pledge of allegiance.

The Executive Director stated that it was with regrets and sadness he reported the loss of an employee, Mr. Daniel Comrie, due to an unfortunate accident. Mr. Comrie was employed in 2001 and served as an exemplary example to his fellow employees. He was well thought of and liked by all at Joint Meeting. His death was a great loss to all and our sympathy goes out to his wife and children.

A moment of silence was observed.

On motion by Ms. Chaneyfield Jenkins, seconded by Mayor Hokanson, the minutes of the last meeting were approved as printed. On roll call; ayes, Messrs. Whitaker DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Mr. Florio, seconded by Ms. Chaneyfield Jenkins, the **Treasurers Report** having been mailed to the Board members was received and ordered printed. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

The following verbal report was given:

**Personnel & Procurement Committee:** Chairperson Chaneyfield Jenkins stated that the Committee had met, discussed and recommends authorization of the following: award of a contract for Repair of Emergency condition (R-039) and in order to avoid the possibly of being in violation of our permit if another drive were to fail a resolution from the floor to receive bids for same would be in order; award of a contract for Replacement of 4160 Vac Parallel Feeder (R-040) and Purchase Order for Providing Rotor Repairs and Re-Chroming (R-041).

Following the discussion held with regard to Resolution 039 and the concerns expressed with Municipal Maintenance as to prevailing wages and why, although there are contractors presently on site qualified to do the work, Joint Meeting has no say in who is picked by Ovivo. Counsel Webster

explained with regard to prevailing wages, that there may have been inquiries but unless the Department of Labor made a determination, Joint Meeting has no recourse. In addition, by State Statute Joint Meeting cannot tell a contractor who to partner with and since Ovivo could not be the general contractor because it does not have a New Jersey Business Certification, Municipal Maintenance became the general contractor.

It now being 4:10 p.m. Mr. Cirilo arrived.

Counsel Webster further explained that because this is an emergency situation and is handled differently than it would be in a normal situation. In addition, because of the possibility that, if another drive were to fail at this time, Joint Meeting might not meet their permit requirements and incur fines. Therefore, it is being recommended that a second non-emergency resolution (R-044) be made from the floor tonight and ratified at the April meeting.

With regard to Ovivo, Counsel Noble explained that unless they get a New Jersey Business Certificate, they themselves would not be eligible to bid on the specifications. Therefore, they would always have to partner with another company.

It was also explained that Joint Meeting has a very knowledgeable employee who will oversee the project. He will check all reports and make sure that those named on the report are on site.

On motion by Ms. Chaneyfield Jenkins, seconded by Mr. Cirilo, Resolution 039, awarding a contract to Municipal Maintenance Company for Repair of Emergency Condition was adopted. On roll call; ayes, Messrs. DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none; abstaining, Mr. Whitaker.

Following a discussion on the wording for Resolution 044 it was the consensus of the Board that CME Associates prepare the specifications as they have the resources to evaluate if there are newer drive systems that Joint Meeting should be looking to install.

On motion by Mayor DeLuca, seconded by Ms. Chaneyfield Jenkins, Resolution 044, authorizing the Procurement by Public Bidding the Purchase and Installation of a Secondary Clarifier Drive was adopted. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Ms. Chaneyfield Jenkins, seconded by Ms. Talmadge, Resolution 040, awarding a Contract to MBE Mark III Electric, Inc. for Replacement of 4160 Vac Parallel Feeder was adopted. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Ms. Talmadge, seconded by Mr. Florio, Resolution 041, authorizing a Purchase Order to Industrial Hard Chromium Co., Inc. for Providing Rotor Repairs and Re-chroming was adopted. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Ms. Chaneyfield Jenkins, seconded by Ms. Talmadge, Resolution 042, authorizing Execution of Access Agreement with Newfields, LLC was adopted. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Mr. Florio, seconded by Ms. Chaneyfield Jenkins, Resolution 037, payment of bills was adopted. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Mr. Florio, seconded by Ms. Chaneyfield Jenkins, Resolution 038, Assessment for Second Quarter 2016 was adopted. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Mr. Florio, seconded by Mr. Cirilo, the **2015 Annual User Charge Apportionment, Treatment Plant and Industrial Pretreatment Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Mr. Florio, seconded by Ms. Talmadge, the **General Counsel, Labor & Employment Counsel (no report), Special Counsel for Pretreatment Violations (no report) and Engineering Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

The correspondence was received and will be filed.

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. Florio, seconded by Mayor DeLuca, was received and ordered printed. On roll call; ayes, Messrs. Whitaker, DeLuca, Tillotson, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; 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 at a later date.

Upon reconvening Mr. Tillotson had to leave.

On motion by Mr. Florio, seconded by Mr. Cirilo, the **2015 Surplus Report** having been mailed to the Board members was received and ordered printed. On roll call; ayes, Messrs. Whitaker, DeLuca, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

On motion by Ms. Chaneyfield Jenkins, seconded by Mr. Levison, Resolution 043, approving an Amended and Restated Employment Agreement for the Executive Director was tabled. On roll call; ayes, Messrs. Whitaker, DeLuca, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

There being no further business on motion by Mayor DeLuca, seconded by Mr. Florio, the meeting then adjourned to meet again on Thursday, April 21, 2016, at the Maplewood Municipal Building at 4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. Whitaker, DeLuca, Hokanson, Levison, Sun, Florio, Cirilo, Ms. Talmadge and Chaneyfield Jenkins; nays, none.

Respectfully submitted,

Carl Hokanson  
Secretary