

Meeting of March 21, 2013
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 26, 2012.

On roll call the following members were present: Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson, Jones and Leventhal. Messrs. Green and Levison notified the office that they would be unable to attend today's meeting.

Also in attendance were Messrs. McGhee, Terrezza, Dowhan, Phillips, Barry and Berkeley, Esq. of Joint Meeting; J. Nobel and J. Borek Esq. of Genova, Burns, Giantomasi and Webster et al., Joint Meeting's Consultants CME Associates (CME), AVA Consulting LLC (AVA), Global Logistics Group (GLG), Arlene Carollo of Zinn Graves and Field.

The Chairperson led the pledge of allegiance.

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

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

The following verbal report was given:

Personnel & Procurement Committee: Ms. Leventhal stated that the Committee had met, discussed and recommends authorization of the following: award of a contract to CDM Smith for Professional Engineering Services for Modifications to the Millburn Crossing on the Rahway River East Branch (R-026); Purchase Order to Federal Elevator Ins. for the Repair of Dewatering Facility Elevator (R-027).

With regard to Resolution 026 CME Associates explained that the design, which had to be altered, has been finalized and bids can now be received; the resolution is for funding the construction and bid phase services for CDM Smith; the cost of the project will be allocated to those municipalities directly affected (Maplewood, Millburn, South Orange, Summit and West Orange).

On motion by Ms. Leventhal, seconded by Ms. Jones, Resolution 026, awarding a contract to CDM Smith for Professional Engineering Services for Modifications to the Millburn Crossing on the Rahway River East Branch was adopted. On roll call; ayes, Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson, Jones and Leventhal; nays, none.

With regard to Resolution 027 the Superintendent explained that this is a freight elevator in the Sludge Dewatering Facility (damaged during Sandy) and essential for maintenance purposes.

On motion by Mr. McDermott, seconded by Mr. Casais, Resolution 027, Purchase Order to Federal Elevator Inc. for the Repair of Dewatering Facility Elevator was adopted. On roll call; ayes,

Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson, Jones and Leventhal; nays, none.

In answer to a question regarding the 2012 Surplus Report (schedule 5) the Director of Administration and Finance explained that the money owed by Elizabeth was added to the surplus money which will be distributed to the member municipalities.

The Director of Administration and Finance further explained that the surplus will be given to the member municipalities in a check rather than as a credit against the Second Quarter Assessment.

A brief explanation was given by CME Associates on how the municipalities, by preventing the need for expensive plant expansions, can save money by reducing I/I flows. For example, Union is looking into reducing water flow into the system by elevating manholes that are slightly below ground level. Tracking of any reduction is kept by AVA Consulting so that the extra surcharge included in the fund assessments can be adjusted based upon on much water is removed from the system.

On motion by Mr. McDermott, seconded by Mr. Casais, the **2012 Annual User Charge Apportionment Report, 2012 Operations Report, 2012 Surplus, Treatment Plant Report and Industrial Pretreatment Report** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson, Jones and Leventhal; nays, none.

On motion by Ms. Jones, seconded by Ms. Leventhal, **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. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson, Jones and Leventhal; nays, none.

The correspondence will be printed in the minutes.

The Executive Director stated that due to staffs response during Hurricane Sandy, Joint Meeting was the recipient of the Wave Award. In addition, Effluents, the New Jersey Water Environment Associates magazine is going to feature Joint Meeting's staff on their cover.

On behalf of the Board the Chairperson commended Joint Meeting's staff, who always represents Joint Meeting the best way possible and are now being acknowledged by others.

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

In accordance with Section 7 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 Contracts and it is anticipated at this time that this subject matter will be made public at a later date.

Upon reconvening it should be noted that Ms. Jones left at 4:37 during Executive Session.

On motion by Ms. Leventhal, seconded by Ms. Garretson, Resolution 028, approving an Amended and Restated Employment Agreement for the Executive Director was tabled. On roll call; ayes, Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson and Leventhal; nays, none.

On motion by Ms. Garretson, seconded by Mr. Florio, Resolution 024, approving payment of bills and Resolution 025 Assessment for Second Quarter 2013 was adopted. On roll call; ayes, Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson and Leventhal; nays, none.

On motion by Mr. McDermott, seconded by Mr. Florio, Resolution 029, authorizing Settlement of Litigation Entitled the New Jersey Department of Environmental Protection, Et Al, V.

Occidental Chemical Corporation, Et Al., Docket No. ESX-L-9868-05 (PASR) substantially in accordance with the terms of a Proposed Consent Judgment and Related Documents, Resolution 030, authorizing the Executive Director or Superintendent to Execute Certain Documents and Resolution 031, authorizing Submission of Letter to New Jersey Department of Environmental Protection Requesting Control Over Service Area Within Wastewater Management Plan was adopted. On roll call; ayes, Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson and Leventhal; nays, none.

On motion by Mr. Bomgaars, seconded by Ms. Garretson, Resolution 032, authorizing the Execution of a Settlement Agreement with Maplewood Beverage Packers, LLC Settling Administrative Penalty Assessments for Certain Pre-Treatment Violations was adopted. On roll call; ayes, Messrs. Rice, Casais, Bomgaars, Florio, Ms. Garretson and Leventhal; nays, none. Mr. McDermott recused himself.

There being no further business on motion by Mr. Bomgaars, seconded by Mr. Florio, the meeting then adjourned to meet again on Thursday, April 18, 2013, at the Maplewood Municipal Building at 4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. McDermott, Rice, Casais, Bomgaars, Florio, Ms. Garretson and Leventhal; nays, none.

Respectfully submitted,

Ronald C. Rice
Chairperson