

Meeting of May 19, 2011
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 17, 2010.

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

Also in attendance were Messrs. McGhee, LaMendola, Bonaccorso, Terrezza, Sforza, Barry, Phillips, Akinokun and Ms. Rufolo of Joint Meeting; E. Webster Esq. of Trenk, DiPasquale et al. and Mr. H. Johnsen of CME Associates.

The Chairperson led the pledge of allegiance.

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

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

The Director of Administration and Finance reported that there is a slight increase in the premiums on the renewal of the insurance policies due to the additional coverage for terrorism. This coverage is being recommended because of the world situation and our proximity to Newark Liberty Airport.

On motion by Mr. Brewer, seconded by Mr. Rice, Resolution 039, authorization awarding the Annual Insurance Renewal to Business & Governmental Insurance Agency (BGIA) was adopted. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays, none.

The Superintendent explained that this (PCB Trackdown) is a program begun a number of years ago involving PCB's which are very difficult to detect and very expensive to track down. This project is being used as a pilot to test the methodology by which samples are gathered and the analysis is done. Ultimately, we will have to track down any PCB spots which might be in the municipalities.

On motion by Mr. Brewer, seconded by Mr. Madden, Resolution 040, authorization the Execution of an Agreement between The New Jersey Harbor Dischargers Group and Aquatic Sciences Consulting to provide certain Technical Consulting Services for PCB Trackdown Study – Phase V was adopted. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays, none.

On motion by Mr. Rice, seconded by Mr. Madden, the **Treatment Plant Report, the Industrial Pretreatment Report and the 403 Annual Report** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays, none.

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

With regard to the Occidental Chemical and Tierra Solutions litigation, Counsel Webster explained that as can be seen from his report some of the dates with this case are 3 to 4 years away. Our motion to dismiss various counts of the Third Party Complaint was denied with the exception of the ERA count.

The Correspondence will be printed in the minutes.

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. Levison, seconded by Mr. Rice, was received and ordered printed. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal 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 on motion by Mr. Brewer, seconded by Mr. Levison, Resolution 038, Payment of Bills was adopted. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays; none.

On motion by Mr. Brewer, seconded by Mayor Florio, Resolution 041, authorizing a Request for Proposal for Professional Engineering Services was adopted. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays, none.

On motion by Mr. Levison, seconded by Mr. Brewer, Resolution 042, Certification to Local Finance Board Compliance regarding Annual 2010 Audit Pursuant to N.J.S.A. 40A:5A-17 was adopted. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays, none.

With regard to Resolution 043, the IPP Manager explained that over the past few years Lioni Latticini, Inc. has have numerous violations dating back to 2009. Following discussions with them a settlement agreement in the amount of \$139,125.00 has been reached.

On motion by Mr. Madden, seconded by Mr. Rice, Resolution 043, authorizing Execution of Settlement Agreement with Lioni Latticini, Inc. settling Administrative Penalty Assessments for certain Pretreatment Violations was adopted. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays, none.

New business – the Executive Director stated that the NACWA Conference will be held from July 19th to July 22nd in Chicago. and the WEFTEC will be held from October 15th to October 19th in Los Angeles. Any member interested in attending should contact the office by June 3rd.

The Superintendent stated that Joint Meeting will be receiving the Platinum Award at the NACWA Conference.

The Executive Director stated that it is with sorrow and regret that he informs the Board of the retirement of key employees at Joint Meeting. The Deputy Executive Director/Chief Engineer Ralph LaMendola, the Superintendent, Joe Bonaccorso, the Executive Secretary, Ana Albuquerque and the Board Assistant Secretary, Pat Rufolo. All four (4) employees are professional, they are most competent and they are going to be sorely missed. It will be difficult to go forward without them but we all wish them success in the future.

Mr. Rice stated that he would like to add that Ralph, Joe and Pat will be missed. All of them are very good at what they do. They have been of help to the Board with their knowledge, accessibility and professionalism. Their shoes will be hard to fill.

The Chairperson stated that usually the July and August meetings are cancelled and would only be called into session if need be. However, she asked if with the personnel changes are there any reasons those meetings should be scheduled?

There being no further business on motion by Mr. Levison, seconded by Mr. Rice, the meeting then adjourned to meet again on Thursday, June 16, 2011, at the Maplewood Municipal Building at 4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. Green, Brewer, Rice, Accardi, Levison, Madden, Florio, Ms. Leventhal and Spango; nays, none.

Respectfully submitted,

Patricia Rufolo
Assistant Secretary