

Meeting of June 21, 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, Florio, Ms. Leventhal, Torres and Spango. Mr. Rubino of Summit arrived at 5:10 during Executive Session. Ms. Jones notified the office that she would be unable to attend today's meeting.

Also in attendance were Messrs. McGhee, Terrezza, Sforza, Barry, Dowhan, Phillips and Berkeley, Esq. of Joint Meeting; E. Webster, C. Hartwyk and J. Nobel Esq. of Genova, Burns, Gianatomasi and Webster et al., Joint Meeting's Consultants CME Associates (CME), AVA Consulting LLC (AVA), Global Logistics Group (GLG), A. Adjepong of Public Works Management LLC (PWM), Consultants for the City of Newark, Ryan Lynier, Esq. City of East Orange, Steven Rother, Esq. Village of South Orange and Saul Qersdyn of the Concerned Citizens of Roselle Park.

The Chairperson led the pledge of allegiance.

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

The **Treasurer's Report** having been mailed to the Board members, on motion by Ms. Leventhal, seconded by Mr. Levison, was received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. 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: amendment to Birdsall Services Group contract for Construction Administration for Service Water System Upgrades(R-049), awarding contract to CME Associates for Professional Engineering Services for SCADA (R-050), awarding a contract to CME Associates for Professional Engineering Services for PST Electrical Modifications (R-051), execution of an Agreement with Great Lakes Environmental Center through the New Jersey Harbor Dischargers Group for 2012-2013 (R-052), Purchase Order to Total Environmental Restoration Solutions Inc. (TERS) for Documents Recovery and Mold Remediation (R-053) and Change Order No. 2 to Hutton Construction, LLC in connection with Site and Entrance/Emergency Access Road Improvements (R-054), Transfer and Reclassification of Funds (R-055) and Amendment to Genova, Burns, Giantomasi & Webster for General Counsel Services contract (R-056).

Following an explanation by Counsel Noble that Resolution 049 also relates to the mediation with DMR Construction regarding their claim that there were some engineering design deficiencies and that they were owed money as a result of delays on Joint Meeting's part rather than on their part; that there was no resolution with the mediation because of concerns of the Board to commit to a number when the project hasn't been completed; the possibility that at the completion of the project

DMR will again raise some of those claims and also that we will seek some compensation from DMR for the additional engineering costs and liquidated damages that were incurred, on motion by Mr. Levison, seconded by Ms. Leventhal, Resolution 049, authorizing Amendment to Contract with Birdsall Services Group for Construction Administration for Service Water System Upgrades was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Ms. Leventhal, seconded by Mr. Green, Resolution 050, authorizing awarding a contract to CME Associates for Professional Engineering Services for SCADA was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Ms. Leventhal, seconded by Mayor Florio, Resolution 051, authorizing awarding a contract to CME Associates for Professional Engineering Services for PST Electrical Modifications SCADA was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Mr. McDermott, seconded by Mayor Florio, Resolution 052, authorizing the Execution of an Agreement with Great Lakes Environmental Center through the New Jersey Harbor Dischargers Group for 2012-2013 was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Mr. Rice, seconded by Mr. Levison, Resolution 054, authorizing Change Order No. 2 to contract with Hutton Construction, LLC in connection with Site and Entrance/Emergency Access Road Improvements was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Ms. Spango, seconded by Mr. Green, Resolution 047, Payment of Bills was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Mr. McDermott, seconded by Mayor Florio, Resolution 048, the Third Quarter 2012 Assessment was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Ms. Leventhal, seconded by Mr. Levison, 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, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Mr. McDermott, seconded by Mayor Florio, **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, Florio, Ms. Leventhal, Torres and Spango; nays, none.

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 Mayor Florio, was received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres, Spango; 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 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 Mr. Rubino of Summit (substituting for Mr. Bomgaars) arrived at 5:10 during Executive Session and Ryan Lynier Esq. City of East Orange.

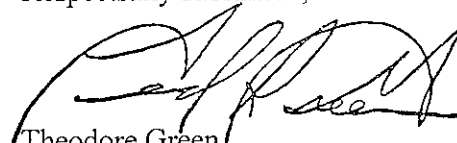
On motion by Mr. Levison, seconded by Mayor Florio, Resolution 053, authorizing a Purchase Order to "TERS" Total Environmental Restoration Solutions Inc. for Documents Recovery and Mold Remediation was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Rubino, Florio, Ms. Leventhal, Torres and Spango; nays, none.

On motion by Mr. Levison, seconded by Mayor Florio, Resolution 055, authorizing Transfer and Reclassification of Funds was adopted. On roll call; ayes, Messrs. Green McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, Mr. Rubino.

On motion by Mr. Green, seconded by Mr. McDermott, Resolution 056, Amending Contract with Genova, Burns, Giantomasi & Webster for General Counsel Services was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Florio, Ms. Leventhal, Torres and Spango; nays, Mr. Rubino.

There being no further business on motion by Mr. Green, seconded by Mayor Florio, the meeting then adjourned to meet again on Thursday, July 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, Rubino, Florio, Ms. Leventhal, Torres and Spango; nays, none.

Respectfully submitted,



Theodore Green
Vice Chairperson/Secretary