

Meeting of February 17, 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 Chairperson 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, McDermott, Rice, Accardi, Levison, Madden, Florio, Ms. Jones, Leventhal and Spango.

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

The Executive Director introduced the new Director of Administration & Finance, Anthony Terrezza.

The Chairperson led the pledge of allegiance.

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

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

The following verbal report was given:

Personnel & Procurement Committee: Mr. Rice stated that the Committee had met, discussed and recommends authorization of the following: receipt of bids for various services, equipment and materials (R-021).

On motion by Mr. Brewer, seconded by Mr. Rice, Resolution 021, authorization for the Procurement by Public Bidding of Various Services Equipment and Materials was adopted. On roll call; ayes, Messrs. Green, Brewer, McDermott, Rice, Accardi, Levison, Madden, Florio, Ms. Jones, Leventhal and Spango; nays, none.

The Executive Director stated that for clarification purposes, included in the members packet was a copy of Policy #201 of Joint Meeting's Policies and Procedures regarding seminars, conferences, training and travel expenses which was discussed at the last meeting.

Following a thorough discussion on Policy #201 it was the consensus of the Board that the 1st paragraph, 1st sentence, of Policy #201 be amended to include the Board of Directors (Joint Meeting encourages employees and the Board of Directors to increase job knowledge etc). Also, Policy #201 should be amended any place where Board of Director needs to be inserted in terms of the procedure with the paperwork and receipts, etc.

The Director of Administration & Finance explained that due to unforeseen circumstances the 2010 Annual User Charge Apportionment Report, Operations Report and Surplus Report will not be presented today.

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

On motion by Mr. Florio, seconded by Ms. Jones, **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, Brewer, McDermott, Rice, Accardi, Levison, Madden, Florio, Ms. Jones, Leventhal and Spango; nays, none.

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. Brewer, was received and ordered printed. On roll call; ayes, Messrs. Green, Brewer, McDermott, Rice, Accardi, Levison, Madden, Florio, Ms. Jones, Leventhal and 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 on motion by Ms. Jones, seconded by Mr. Rice, Resolution 019, Payment of Bills; Resolution 020, Confirming the Committee Appointments made by the Chairperson for 2011 and Resolution 022, Appreciation to Modesto Miranda were adopted. On roll call; ayes, Messrs. Green, Brewer, McDermott, Rice, Accardi, Levison, Madden, Florio, Ms. Jones, Leventhal and Spango; nays, none.

Unfinished Business – the Superintendent distributed a spreadsheet with regards to the Co-Gen Facility electrical production for 2010 and what was expended for purchased power. The average cost per Kwhr purchased was \$0.1226 versus Joint Meetings' Co-Gen cost of \$0.038. The savings of unpurchased electricity was approximately \$1,400,000.00. Since we don't always produce enough methane gas we periodically have to use natural gas. We also have a purchase contract with GDF Suez Energy from August to August to purchase electricity.

In light of the negativity that has been in the papers the Board suggested that this information should be made public showing what Joint Meeting is doing and the savings being generated. This could be done by publishing an article in the papers and the League of Municipalities Magazine and also a letter should be sent to the municipalities.

The Chairperson further suggested that Joint Meeting submit an application in September for the Governor's award in Environmental Excellence which is given out in November.

The Superintendent stated that although Joint Meeting has not received the Governor's award, we have received an award from the Association of Environmental Authorities.

The Superintendent further stated that Joint Meeting has won numerous Silver Awards, which means that a facility has not been out of compliance with more than 5 issues on their permit for

discharging and operating a facility, from the National Association of Clean Water Agencies. The 85% removal limit was hard to meet but then several years ago the Board authorized the installation of a device (Stanford Baffles) in our clarifiers which has allowed us to more than meet the removal limit. From that point on Joint Meeting won the Gold Award with 2010 marking 5 straight years that Joint Meeting won the Gold Award which now qualifies Joint Meeting for the Platinum Award. The Superintendent will convey to Joint Meeting's staff the Boards feeling for such an achievement as it is because of them that we are recognized.

A discussion was held on the article in the Star Ledger of the State Comptroller, Mathew Boxer, Report on the transparency of New Jersey's local authorities and commissions. Mr. Boxer is essentially asking for certain things such as, the establishment of a website containing detailed financial information, public meeting dates, agendas for future meetings, minutes of prior meetings, description of responsibilities and basic contact information including names and telephone numbers of the responsible official which is basically already on Joint Meetings website except for our budget. At a staff meeting, the suggestion was made to include the audit which is a public document and could be obtained through OPRA so this would not be a problem. However, Board approval is needed as to what information to include in terms of the budget.

In addition, since Joint Meeting's budget is one line item for the municipal budget it was suggested that if the budget is put on Joint Meeting's website there should be a note that it is impacted by the member municipalities and the citizens should check the actual municipality website to view the full budget to understand how it all comes together.

It was the consensus of the Board that the budget and auditor report be put on Joint Meeting's website.

In answer to a question as to whether legal notices can be put on the website Counsel Webster explained that this is legislation that would allow public entities to advertise on their websites instead of the newspapers which he does not believe will pass.

A discussion was held on the potential changes proposed by the Governor to the pension. The changes would have a significant increase to the pension contribution and to the health co-pay. Also changing the format of age 55 with 25 years of service to age 62 with 30 years of service which could mean the loss of substantial money. This could have a tremendous impact not only on the municipalities but Joint Meeting as well possibly losing upper administration personnel. At the present time there is a limit of \$15,000.00 that can be earned by someone that has retired and returns to public work. There is no legislation in now to offset that. Also, since July is what is being mentioned, there isn't enough time for the municipalities to put together joint service agreements to try to bridge the gap until someone is hired.

The Board requested a report as to any Joint Meeting personnel this might affect.

New business – the Executive Director stated it was with regret that he informs the Board that this is the last meeting for, Cathy Martinson, the Pretreatment Coordinator who is retiring as of March 1st. She has been a valuable employee and will be missed.

The Pretreatment Coordinator stated that the Board has been fantastic and very supportive of her efforts. After 31 years with Joint Meeting it was a hard decision to make.

There being no further business on motion by Mr. Florio, seconded by Mr. Rice, the meeting then adjourned to meet again on Thursday, March 17, 2011, at the Maplewood Municipal Building at

4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. Green, Brewer, McDermott, Rice, Miranda, Levison, Madden, Florio, Ms. Jones, Leventhal and Spango; nays, none.

Respectfully submitted,

Patricia Rufolo
Assistant Secretary