

Meeting of January 19, 2017 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 22, 2016.

On roll call the following members were present: Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow. Ms. Talmadge arrived at 4:20 p.m. Ms. Burgess and Chaneyfield Jenkins notified the office that they would be unable to attend today's meeting.

Also in attendance were Messrs. McGhee, Dowhan, Terrezza, Barry, Phillips, Berkeley, Esq. and Ms. DeFrancis of Joint Meeting; E. Webster and J. Noble Esq. of Inglesino, Webster, Wyciskala & Taylor, LLC, C. Michelson Esq. of Scarinci Hollenbeck; L. Drozd of Zinn Graves & Fields and Joint Meeting's Consultants CME Associates (CME), AVA Consulting LLC (AVA), Global Logistics Group (GLG) and Mr. Saul Qersdyn of the Roselle Park News.

The Chairperson led the pledge of allegiance.

Since this is the reorganization meeting, the Chairperson stated that nominations for the offices of Chairperson, Vice-Chairperson/ Secretary and Treasurer would be in order.

Mr. Florio nominated Mr. Levison for the office of Chairperson which nomination was seconded by Mayor DeLuca.

The Chairperson again asked if there were any further nominations for Chairperson. There being none, on motion by Mr. Florio, seconded by Mayor DeLuca, the nominations for Chairperson was closed. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none.

There being only one (1) nominee, on roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none; Mr. Levison was elected Chairperson. (R-001)

The Chairperson stated that nominations were now in order for the office of Vice-Chairperson/Secretary.

Mr. Florio nominated Mr. Sun for the office of Vice-Chairperson//Secretary which nomination was seconded by Mayor DeLuca.

The Chairperson again asked if there were any further nominations for the Office of Vice-Chairperson/Secretary. There being none, on motion by Mr. Florio, seconded by Mayor DeLuca, the nominations for Vice-Chairperson/Secretary was closed. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none.

There being only one (1) nominee, on roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none; Mr. Sun was elected Vice-Chairperson/Secretary. (R-002)

The Chairperson stated that nominations were now in order for the office of Treasurer.

Mr. Florio nominated Mayor DeLuca for the office of Treasurer which nomination was seconded by Mr. Sun.

The Chairperson again asked if there were any further nominations for the Office of Treasurer. There being none, on motion by Mr. Florio, seconded by Mr. Sun, the nominations for Treasurer was closed. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none.

There being only one (1) nominee; on roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none. Mayor DeLuca was elected Treasurer. (R-003)

The Board congratulated Messrs. Levison, Sun and DeLuca on their election as officers of the Joint Meeting.

Messrs. Levison, Sun and Mayor DeLuca thanked the Boards for their support.

On motion by Mayor DeLuca, seconded by Mr. Florio, Resolution 004, designating publications as The Star Ledger, Home News Tribune, El Nuevo Coquil and City News Publications was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none.

On motion by Mr. Florio, seconded by Mr. DeAugustine, Resolution 005, designating Official Financial Institutions was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Sun, Levison, Florio, Guarino and Ms. Eglow; nays, none.

On motion by Mr. Florio, seconded by Mr. Sun, Resolution 006, designating Bank Signatories was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none.

On motion by Mayor DeLuca, seconded by Mr. Sun, the minutes of the last meeting were tabled. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino Ms. Eglow; nays, none.

On motion by Mr. Sun, seconded by Mayor DeLuca, the **Treasurer's Report** having been mailed to the Board members was received and ordered printed. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino and Ms. Eglow; nays, none.

The following verbal report was given:

Personnel & Procurement Committee: Mayor DeLuca stated that the Committee had met, discussed and recommends authorization of the following: tabling the RFQ's for approving the Qualifications for Professional Services (Public Relations) (007) and contract for Public Relations Services (R-008) until the Committee can review the RFQ's received and because two (2) members of the Committee are not present today; receipt of bids for Various Services, Equipment and Materials (R-013); Contract with Foley Power System through the National Joint Powers Alliance (R-014); Purchase Orders for Hot Water Coil Replacement Repairs (R-015); Furnishing and Delivering One (1) Gas Blower (R-016) the Infiltration/Inflow Adjustment Costs Analysis.

For clarification purposes with regard to Resolution 007 and 008, Mr. Florio explained that this has been ongoing since November when concerns were expressed by the former Board. At that time it was the consensus of the Board to go out and received RFQ's again.

In answer to a question on what the former Board's concerns were, Mayor DeLuca explained that one (1) was in regards to how the Public Relations Firm (Zinn Graves & Fields) handled their response to the Spill Act which was legislation to change the wording which would have been beneficial to facilities such as Joint Meeting.

Counsel Webster explained that there were three (3) components to the public relation's contract, 1) the basic component being the newsletter printed semi-annually, 2) the publicity on the Occidental suit five (5) years ago with regard to the contamination of Newark Bay and 3) the hiring of Impact NJ for their lobbying services on this issue.

It now being 4:20 p.m. Ms. Talmadge arrived.

Following a thorough discussion on motion by Mr. Sun, seconded by Mr. Florio, Resolutions 007 and 008 are tabled until the February meeting. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mayor DeLuca, seconded by Mr. Florio, Resolution 013, authorizing the Procurement by Public Bidding of Various Services, Equipment and Materials was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mayor DeLuca, seconded by Mr. DeAugustine, Resolution 014, authorizing a contract with Foley Power Systems through the National Joint Powers Alliance a National Cooperative Purchasing System was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mayor DeLuca, seconded by Ms. Talmadge, Resolution 015, authorizing Issuance of a Purchase Order to Mainstream for Hot Water Coil Replacement Repairs was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mayor DeLuca, seconded by Mr. Florio, Resolution 016, authorizing a Purchase Order to Technology International, Inc. for Furnishing and Delivering One (1) Gas Blower was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mr. Florio, seconded by Ms. Talmadge, the **Treatment Plant, Industrial Pretreatment and Safety Program Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mr. Florio, seconded by Mr. Guarino, the **Counsel, Labor & Employment Counsel, Special Counsel for Pretreatment Violations and Conflicts and Engineering Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; 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.

On motion by Mr. Florio, seconded by Ms. Talmadge, Resolution 009, approving payment of bills was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mr. Florio, seconded by Mr. Sun, Resolution 010, appreciation to Sip T. Whitaker, Resolution 011, appreciation to Robert J. Tillotson and Resolution 012, appreciation to Carl Hokanson were adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

On motion by Mayor DeLuca, seconded by Ms. Talmadge, Resolution 017, authorizing the Use of Competitive Contracting for the Procurement of a Demand Response Program Agreement was adopted. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

AVA Consultant stated that a letter was received from Union with regard to their overpaying on their assessments for a period of time (2010 – 2016). They referenced inflow locations in the 1994 Hazen & Sawyer report that were not located in Union, but flowed into the Elizabeth's System.

For clarification purposes AVA Consultant explained how the assessments are prepared based on EDU's, provided to Joint Meeting from the municipalities respective staff; the I/I (Infiltration/Inflow) and repairs made to the collection system.. The information received is used along with the Budget to prepare the assessments to the member municipalities and the City of Elizabeth. In addition, Elizabeth receives an adjustment bill each quarter.

With regard to the I/I, studies were done going back to 1979 which involved smoking testing, internal inspections to locate roof drains, sump pumps, etc. to try to eliminate the I/I from the municipal systems.

AVA Consultant further explained that when the letter was received from Union he, the Superintendent and staff researched to make sure Union's boundaries with Elizabeth were originally correct or would they have to be modified. In checking, it appears from the 1994 summary there are some municipalities with pluses and some with minus with respect to I/I adjustments. The numbers have been adjusted from 2011 thru 2016, encompassing six (6) years which is the Statute of Limitations. Two (2) municipalities, West Orange and Union overpaid and the other nine (9) underpaid.

Following a thorough discussion it was the consensus of the Board that AVA Consultant, the Superintendent and staff meet with the municipal engineers to discuss the situation and report back to the Board at the April meeting at which time the Board will make a decision as to whether they agree to reimburse the money and a schedule for the repayment of said reimbursement.

On motion by Mr. Sun, seconded by Mayor DeLuca, Union's request for reimbursement is tabled until the April meeting (with updates given at each meeting) for a reconciliation and method/schedule of payment. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

There being no further business on motion by Mr. Sun, seconded by Mayor DeLuca, the meeting then adjourned to meet again on Thursday, February 16, 2017, at the Maplewood Municipal Building at 4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. DeAugustine, DeLuca, Meola, Levison, Sun, Florio, Guarino, Ms. Talmadge and Eglow; nays, none.

Respectfully submitted,

Richard Sun
Secretary