

Meeting of December 20, 2018 Maintenance

A meeting of the Joint Meeting was held on the above date at the Maplewood Municipal Building at 4:00 p.m. Chairperson DeLuca 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 2018 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 29, 2017.

On roll call the following members were present: Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino. Ms. Burgess notified the office that she would be unable to attend today's meeting.

Also in attendance were Messrs. McGhee, Dowhan, Barry, Phillips, Berkeley, Esq. and Ms. Shultz and DeFrancis of Joint Meeting; E. Webster and J. Noble Esq. of Inglesino, Webster, Wyciskala & Taylor, LLC, R. Rivera Esq. of Scarinci Hollenbeck and Joint Meeting's Consultants CME Associates (CME) and Global Logistics Group (GLG).

The Chairperson led the pledge of allegiance.

On motion by Mr. Florio, seconded by Mr. Bowman, the minutes of the last meeting were adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none

On motion by Mr. Guarino, 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. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

Personnel and Procurement Committee: Mr. Florio stated that the Committee had met, discussed and recommends authorization of the following: General Engineering Services (R-129); Special Engineering Services (R-130); General Counsel (R-131); Labor and Employment Counsel (R-132); Special Counsel for Pretreatment Violations (R-133); Special Conflict Counsel (R-134); Auditing Services (R-135); Insurance Broker Services (R-136); Bond Counsel (R-137); Financial Advisor Services—Flood Mitigation Facilities Project (R-138); Financial Advisor Services—Capital Improvement Plan (R-139); Amending Contract with Hunt Hamlin & Ridley for Pretreatment Violations Counsel (R-140); Authorization to Bid Various Services, Equipment & Materials (R-141); authorizing contract with Foley Power System through the National Joint Powers Alliance (R-142); Amending Contract with Montana Construction Corporation Inc. for Providing Excavation and Repair Services on an "As Needed" Basis (R-143); awarding contract to Monmouth Telecom for Internet and Integrated Voice and Data Services (R-144); Purchase Orders, for providing Certified Laboratory Services (R-145); for Providing Accounting Clerk Services (R-146); for a 2019 Ford Transit Cargo Van (R-147); for Furnishing and Delivering a Woodward Master Synchronizer and Load Sharing Control (R-148); for Inspecting and Repairing a Nash Gas Compressor (R-149); Change Order No.1 for Furnishing and Installing the Screen House Overhead Crane (R-150); Annual State Purchasing Contracts (R-151) and Financial Incentive Pilot Program (SHBP) (R-152).

On motion by Mr. Florio, seconded by Mr. Guarino, Resolution 129, awarding a Contract to CME Associates for General Engineering Services was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio , seconded by Mr. Bowman, Resolution 130, awarding a Contract to AVA Consulting LLC for Special Engineering Services was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Levison, seconded by Mr. Fahoury, Resolution 131, appointing the Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC as General Counsel was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Ramos, seconded by Mobley, Resolution 132, appointing the Law Firm of Scarinci Hollenbeck to Serve As Labor and Employment Counsel was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Bowman, seconded by Mr. Mobley, Resolution 133, appointing the Law Firms of Antonelli Kantor, P.C. and Hunt Hamlin & Ridley to serve as Pretreatment Violations Counsel was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Mr. Guarino, seconded by Mr. Bowman, Resolution 134, appointing the Law Firms of Antonelli Kantor, P.C. and Hunt Hamlin & Ridley to serve as Special Conflict Counsel was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Bowman, seconded by Mr. Levison, Resolution 135, reappointing the Firm of Suplee, Clooney & Company for Auditing Services to Perform The 2019 Audit was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Fahoury, Resolution 136, awarding a Contract to Business and Governmental Insurance Agency for Insurance Broker Services for 2019 was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Fahoury, Resolution 137, authorizing the Retention of Wilentz, Goldman & Spitzer as Bond Counsel was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Fahoury, Resolution 138, authorizing the Retention of Powell Capital Markets, Inc. as Financial Advisor For 2019 In Connection with the Joint Meeting of Essex and Union Counties' Flood Mitigation Facilities Project was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Bowman, seconded by Mobley, Resolution 139, authorizing the Retention of Powell Capital Markets, Inc. as Financial Advisor For 2019 In Connection with the Joint Meeting of Essex and Union Counties' Capital Improvement Plan was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Guarino, Resolution 140, Amending Contract with Hunt Hamlin & Ridley for Pretreatment Violations Counsel was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Levison, Resolution 141, authorizing the Procurement by Public Bidding of Various Services, Equipment and Materials was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Bowman, seconded by Mr. Guarino, Resolution 142, authorizing a Contract with Foley Power Systems Through Sourcewell Formerly Known as the National Joint Powers Alliance

A National Cooperative Purchasing System was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Bowman, Resolution 143, authorizing Amendment to Contract with Montana Construction Corporation Inc. Providing Excavation and Repair Services On An "As Needed" Basis was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Guarino, Resolution 144, awarding Contract to Monmouth Telecom for Internet and Integrated Voice and Data Services was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Bowman, Resolution 145. authorizing a Purchase Order to Aqua Pro-Tech Laboratories for Providing Certified Laboratory Services was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mobley, Resolution 146, authorizing a Purchase Order to Global Logistics Group, LLC for Providing Accounting Clerk Services was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Fahoury, Resolution 147, authorizing the Purchase of a 2019 Ford Transit Cargo Van Under State Contract No. A88211 was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Levison, seconded by Mr. Florio, Resolution 148, authorizing a Purchase Order to Peaker Services Inc. for Furnishing and Delivering a Woodward Master Synchronizer and Load Sharing Control was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Guarino, Resolution 149, authorizing a Purchase Order to Northeast Industrial Technologies for Inspecting and Repairing A Nash Gas Compressor was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Ramos, Resolution 150, authorizing Change Order No. 1 to Contract with Stone Hill Contracting for Furnishing and Installing The Screen House Overhead Crane was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Ramos, Resolution 151, authorizing State Contract Purchases was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman and Florio, Guarino; nays, none.

On motion by Mr. Florio, seconded by Bowman, Resolution 152, authorizing Participation in a Financial Incentive Pilot Program Under The State Health Benefits Program was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Guarino, Resolution 153, authorizing a Pay Increase for Applicable Non-Union Employees was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Florio, seconded by Mr. Bowman, Resolution 154, authorizing a Pay Increase for Applicable Board Members was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Bowman, Florio and Guarino; nays, Messrs. Fahoury and Levison.

On motion by Mr. Florio, seconded by Mr. Guarino, Resolution 126, Approving Payment of Bills was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Mobley, seconded by Mr. Florio. Resolution 127. Estimating the Probable Cost and Expense of Maintaining and Operating The Joint Meeting and Making The First Quarter of 2019 Assessment was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Bowman, seconded by Mr. Florio, Resolution 128, Annual Notice was adopted. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Levison, seconded by Mr. Fahoury, the **Treatment Plant, Industrial Pretreatment and 2019 Annual Assessment Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

On motion by Mr. Guarino, seconded by Mr. Fahoury, the **General Counsel; Labor & Employment Counsel; Special Conflict for Pretreatment Violations, Hunt, Hamlin & Ridley and Antonelli Kantor, P.C. (no report) and Engineer's Reports, CME Associates and CDM Smith** having been mailed to the Board members were received and order printed. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

The Chairperson asked if there was anyone wishing to address the Board on any Joint Meeting matter with a five-minute limit.

Ms. Alisa Aronson of South Orange asked 1) what the pay increase for the Board members was, 2) what was it for 2018, 3) what South Orange's share of the cost of the wall will be and 4) requested a copy of the meeting dates for 2019.

In answer to Ms. Aronson questions it was explained that the increase for both years was 2%; as to South Orange's share of the wall that will have to be sent to her since there are two (2) parts of the cost involved. That information together with the meeting dates for 2019 will be sent to her.

The Chairperson again 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. Florio, seconded by Mr. Guarino, was received and ordered printed. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; 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 Employees/ Personnel and it is anticipated at this time that this subject matter will be made public upon reconvening.

Upon reconvening the Chairperson explained that he received a letter dated December 14, 2018 from the Executive Director regarding his contract which expires on March 16, 2019. He would like to extend his contract for a term of one (1) year at his current salary plus 2% effective March 17, 2019 which would extend his current contract to March 16, 2020.

The Chairperson also explained that he also received from our legal team a draft of the Executive Director's job description, position salary qualifications and essentials job functions.

The Chairperson further explained that following a thorough discussion in Executive Session and with counsel reporting back to the Board before January's meeting, it was the consensus of the Board to offer the Executive Director a counteroffer and if agreeable to all parties, a resolution formalizing the agreement will be presented at the January 17, 2019 meeting.

On motion by Mayor DeLuca, seconded by Mr. Bowman, the counteroffer to the Executive Director's contract is to extend it through December 19, 2019 with a 2% increase effective March 2019.

On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

There being no further business on motion by Mr. Levison, seconded by Mr. Bowman, the meeting then adjourned to meet again on Thursday, January 17, 2019, at the Maplewood Municipal Building at 4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. Mobley, DeLuca, Ramos, Fahoury, Levison, Bowman, Florio and Guarino; nays, none.

Respectfully submitted,

Joseph M. Florio
Secretary