

REGULAR MEETING – October 16, 2008

The Chairman calls the meeting to order at 7:30 p.m. The Chairman asks that the recorder and video camera be turned on.

The Chairman reads the statement on “Open Public Meetings Law”.

In accordance with the requirements of the Open Public Meetings Act, State of New Jersey, adequate notice of this meeting has been provided by the inclusion of the date, time and place in a Notice forwarded to The Star Ledger, the Home News Tribune and the Clerk of each of the eleven member municipalities on February 19, 2008.

If any member of this body believes that this meeting is being held in violation of the provisions of the Open Public Meetings Act, please state your objection and the reasons for same at this time.

.... Hearing no objections, we shall proceed with our regularly scheduled meeting.

The Chairman requests that everyone stand to salute the Flag.

Roll Call

<u>Pres.</u>	<u>Absent</u>	<u>Town Rep.</u>	<u>Pres.</u>	<u>Absent</u>	<u>Name</u>
_____	_____	Clark	_____	_____	M. Brinker, Executive Director
_____	_____	Cranford	_____	_____	R. Materna, Secretary-Treasurer
_____	_____	Garwood	_____	_____	J. Grimes, Office Admin./Board Secretary
_____	_____	Kenilworth	_____	_____	B. Hak, Counsel
_____	_____	Mountainside	_____	_____	J. Wancho, Consulting Engineer
_____	_____	Rahway			
_____	_____	Roselle Park			
_____	_____	Scotch Plains			
_____	_____	Springfield			
_____	<u>X</u>	Westfield			
_____	_____	Woodbridge			

Approval of Minutes

1. Chairman: Do I hear a motion to approve the minutes of the Regular meeting held September 18, 2008.

Motion:

Second:

Discussion:

(Ms. Abram and Mr. Murphy to abstain)

Those in favor of the motion say Aye: _____

Those opposed to the motion say Nay: _____

2. Chairman: Do I hear a motion to approve the minutes of the Special meeting held September 26, 2008.

Motion:

Second:

Discussion:

(Mr. LoForte and Mr. Venturo to abstain)

Those in favor of the motion say Aye: _____

Those opposed to the motion say Nay: _____

Communications

Report of Treasurer

The Treasurer's Reports for the month of August 2008 have been distributed to the Commissioners for review and will be spread on the Minutes. So ordered.

Report of Executive Director

Report of Consulting Engineer

Reports of Construction Management Consultant

(Only if necessary)

Report of Counsel

Committee Reports

Chairman: Are there reports from any of the following Committees:

Engineering Committee (Allen Chin, Chairman)

An Engineering Committee Meeting was held October 9, 2008, at which time several items were discussed. Items that require action are on the agenda under Unfinished and New Business.

Finance Committee (Charles Lombardo, Chairman)

A Finance Committee Meeting was held earlier this evening at which time the Bills and Claims and the third quarter Budget Tracking Report were reviewed. Action is on the agenda under Bills and Claims.

Legal Committee (Clark Landale, Chairman)

Proposals were received for Contracts #0901 through #0915 on October 10, 2008. The proposals were sent to Counsel for review and recommendations for action at the November meeting. Proposals for two contracts, #0902 and #0914, were not sent to Counsel, as Weiner Lesniak is one of the proposers on each contract. These proposals should be sent to another firm for review and recommendation. A motion is on the agenda under New Business.

Personnel Committee (James Murphy, Chairman)

A Personnel Committee Meeting was held October 9, 2008 at which time the ongoing union negotiations and other personnel matters were discussed. Mr. Brinker will provide another update to the Commissioners later in the meeting under Closed Session.

Public Relations Committee (Attilio Venturo, Chairman)

Ms. Grimes, the Office Administrator, has been working with the Public Relations Firm on the Fall 2008 Newsletter. Once the draft copy is ready, it will be sent to the Commissioners for review.

Sludge Management Committee (Frank Mazzarella, Chairman)**Unfinished Business**

At the August 21, 2008 meeting the following motion was made by Mr. Landale, seconded by Mrs. Papan and unanimously approved by the members present. Messer's Luban, Mazzarella, Murphy and Venturo were absent. "Motion to approve Change Order #1 on Contract #155 – Treatment Plant Upgrade, to E.E. Cruz of Holmdel, NJ in an amount of \$377,192.00, total amended contract amount of \$137,514,192.00, as recommended by CCMS".

It is necessary to rescind this motion as E.E. Cruz has advised that they will not do this work. Additionally, it has been determined that the control room should be moved to another building and the work may be done by the staff, thus saving the Authority most of the \$377,192.00.

1. Motion to rescind the approval of Change Order #1 on Contract #155 to E.E. Cruz, thereby changing the total contract amount back to the original amount of \$137,137,000.00, as recommended by the Executive Director.

Motion:

Second:

Discussion:

Those in favor of the motion say Aye: _____

Those opposed to the motion say Nay: _____

New Business

Mr. Lombardo to offer one resolution.

- 1. #08-50 (Security Purchase)

Motion:
 Second:
 Discussion:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

Mr. Landale to offer two resolutions and three motions.

- 1. #08-51 (Amend CCMS Cont. #155-C + \$33,140.31)

Motion:
 Second:
 Discussion:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

- 2. Motion reaffirming the “straw poll” taken at the October 9, 2008 Engineering Committee Meeting whereby it was agreed to allow, the subcontractor/supplier, Caterpillar to continue the testing on the four Caterpillar Model 3608 Engines in the Cogeneration Facility, on digester gas, as outlined in the Contract (#105) with J.H. Reid General Contractors.

Motion:
 Second:
 Discussion:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

- 3. Motion approving Change Order #2 on Contract #157 – Digester Bldg. Rehabilitation, to Agia Mason of Farmingdale, NJ, in a decreased amount of \$3,850.00 for an unused allowance remaining on the contract, final total contract amount of \$590,650.00, as recommended by the Consulting Engineer.

Motion:
 Second:
 Discussion:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

- 4. #08-52 (Amend Contract #158-E to PS&S + \$68,000.00)

Motion:
 Second:
 Discussion:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

- 5. Motion authorizing the staff to engage (_____) to review the proposals received on Contracts #0902 and #0914 for Legal Services and provide a recommendation on the proposals completeness, at a cost not to exceed \$600.00.

Motion:
 Second:
 Discussion:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

Bills and Claims

Motion that the following bills and claims previously audited by the Finance Committee be ordered paid.

Motion:
 Second:
 Discussion:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

Open the floor to the Public for questions or comments

Closed Session **(Only If Necessary)**

Chairman: Do I hear a motion to close the meeting for discussion of personnel matters. Additionally, please turn off the recorder and video camera at this time.

- Motion:
- Second:
- Discussion:
- Time:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

Chairman: Do I hear a motion to return to the regular order of business; and please turn the recorder and video camera back on.

- Motion:
- Second:
- Discussion:
- Time:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

Return to Regular Order of Business

Chairman: Is there any action based on what was discussed in Closed Session?

Adjournment

If there is no further business, do I hear a motion that this meeting be adjourned? Please turn the recorder and video camera off.

- Motion:
- Second:
- Discussion:
- Time:

Those in favor of the motion say Aye: _____
 Those opposed to the motion say Nay: _____

/jg