

Meeting Minutes of September 21st, 2023

A telephone/zoom conference meeting of the Joint Meeting of Essex and Union Counties was held on the above date. Chairperson Ramos was 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 2023 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 of the Counties of Essex and Union all on December 23rd, 2022.

On roll call the following board members were present: Messrs. Petrosky, Ramos, Leneus, Dafis and Florio; Ms. Romano and Ms. Bonanno. Absent: Mr. Rutherford, Ms. Fox, Ms. Collum and Ms. Frederic.

Also, in attendance were Director Johnson; Messrs. Bonaccorso, Phillips, Akinokun, Volpe, Barry, Kairu and Berkeley Esq., of the Joint Meeting; E. Webster, Esq., and J. Noble, Esq. of Connell Foley LLP; J. Burke Esq. of Antonelli Kantor Rivera; H. Johnsen, N. Towers and J. Bonaccorso of CME Associates; R. LaMendola of AVA Consulting LLC; Julia Needham of Echo Valley Advisors, LLC; Everett Johnson of Wilentz, Goldman & Spitzer and David Leun of CDM Smith.

On motion by Ms. Romano, seconded by Mr. Dafis, the minutes of the last meeting were adopted. On motion all in favor, nays, none.

On motion by Mr. Florio, seconded by Ms. Romano, the Treasurer's report was adopted. On motion all in favor, nays, none.

The following verbal report was given:

Personnel & Procurement Committee: Chair Mr. Florio stated that the Committee met, discussed, and recommends authorization of the following: Resolution Authorization to Amend contract with General Counsel - Connell Foley LLP (R-086/23), Resolution Authorization to Amend contract with Bond Counsel - Wilentz, Goldman & Spitzer, P.A. (R-088/23), Resolution Authorization to Amend contract for Financial Advisor Services - Echo Valley Advisors, LLC (R-089/23), Resolution Authorizing Payment for Professionals Following Phase V Closing (R-091/23), Resolution Authorizing Payment for Professionals Following Phase VI Closing (R-092/23), Resolution Authorization for Special Legal Counsel Services- Mandelbaum Barrett P.C. (R-087/23), Resolution Authorization to Amend contract for Acting Director of Finance/Administration - Kelly & Kairu (R-090/23), Resolution Authorization to Bid Various Services, Equipment & Materials (R-093/23), Resolution Authorizing Change Order No. 3 – Thickenner Facilities Upgrades – Allied Construction Group Inc. (R-094/23), Resolution

Authorization Approving the Execution and Delivery of Project Financing Agreements and other Agreements and Matters Related to Phase V and VI of the Flood Mitigation Facilities Project (R-095/23).

On motion by Mr. Petrosky, seconded by Ms. Romano, Resolution (R-086/23) Amending Contract with Connell Foley for General Counsel was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Ms. Romano, seconded by Mr. Petrosky, Resolution (R-088/23) Amending Contract with Wilentz, Goldman & Spitzer for Bond Counsel was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Mr. Florio, seconded by Mr. Dafis, Resolution (R-089/23) Amending Contract with Echo Valley Advisors, LLC for Financial Advisor Services was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Ms. Romano, seconded by Mr. Ramos, Resolution (R-091/23) Authorizing the Payment of Invoices from Certain Professionals in Connection with the Flood Mitigation Facilities Project and the Construction Financing Program Phase V Note Closing with the New Jersey Infrastructure Bank was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Ms. Romano, seconded by Mr. Petrosky, Resolution (R-092/23) Authorizing the Payment of Invoices from Certain Professionals in Connection with the Flood Mitigation Facilities Project and the Construction Financing Program Phase VI Note Closing with the New Jersey Infrastructure Bank was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Mr. Dafis, seconded by Ms. Romano, Resolution (R-087/23) Amending Contract with Mandelbaum Barrett P.C. for Special Legal Counsel Services Bank was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none. Voted after closed session.

On motion by Ms. Romano, Seconded by Mr. Florio, Resolution (R-090/23) Amending Contract with Kelly and Kairu to serve as Acting Director of Finance/Administration was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Mr. Dafis, seconded by Ms. Romano, Resolution (R-093/23) Authorization to Bid Various Services, Equipment & Materials --- (2) Two, 5KV 1200 AMP VR Breaker for CoGen Engines was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Mr. Florio, seconded by Ms. Romano, Resolution (R-094/23) Authorizing Allied Construction Group Inc. C.O. No. 3 for Thickener Facilities Upgrades was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Mr. Ramos, seconded by Ms. Romano, Resolution (R-095/23) Approving the Execution and Delivery of Project Financing Agreements and other Agreements and Matters Related to Phases V and VI of the Flood Mitigation Facilities Project was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Mr. Dafis, seconded by Ms. Romano, Treatment Plant Report, Industrial Pretreatment Report and Financial Report having been mailed to the Board members were received and ordered printed. On motion all in favor, nays, none.

On motion by Mr. Petrosky, seconded by Mr. Dafis, the General Counsel Report, (Connell Foley, LLP), the Labor and Employment Counsel Report (Antonelli Kantor Rivera), the Special Conflict and Pretreatment Violations Counsel Report(s) (Antonelli Kantor Rivera), the Engineering Report (CME Associates), the CSO Report (CDM Smith) and Grant Writing Services Reports (Aubrey Group, LLC – No Report) having been mailed to the Board members were received and ordered printed. On motion all in favor, nays, none.

There was no correspondence.

The Chairperson asked if there was anyone wishing to address the Board on any Joint Meeting matter with a five-minute limit. On motion to open public comments by Ms. Romano, seconded by Mr. Ramos. Hearing no one, the Public Comment Session was declared closed. On motion to close public comment by Ms. Romano, seconded by Mr. Dafis. On motion all in favor, nays, none.

On motion by Mr. Florio, seconded by Ms. Bonanno, Resolution (R-084/23) Payment of Bills was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

On motion by Ms. Romano, seconded by Mr. Dafis, Resolution (R-085/23) Fourth Quarter of 2023 Assessment was adopted. On Roll call: ayes, Messrs. Petrosky, Florio, Leneus, Dafis and Ramos; Ms. Romano and Ms. Bonanno; nay, none.

In accordance with Section 7 and 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 **Contracts/Litigation and Employees/Personnel** and it is anticipated at this time that this subject matter will be made public at a later date. On motion by Ms. Romano, seconded by Mr. Florio, the Board entered into close session at 4:24 pm. On motion all in favor, nays, none. On motion by Ms. Bonanno seconded by Mr. Petrosky, the Board exited

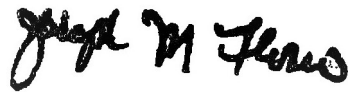
closed session at 4:43 pm and open back up meeting to the public.

There was no unfinished business.

Under new business, the next meeting date will be on October 19, 2023

There being no further business, on motion by, Ms. Romano seconded by Ms. Bonanno, the meeting then adjourned at 4:46 pm to meet again on October 19, 2023, unless called earlier by the Chair. On motion all in favor, nays, none.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph M. Florio". The signature is written in a cursive, slightly slanted style.

JOSEPH M. FLORIO
Secretary