Meeting Minutes of Special Board Meeting of December 28th, 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 special virtual meeting has been provided to the public by mailing notice of this special virtual meeting for December 28th, 2023 at 4pm 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 26th, 2023.

On roll call the following board members were present: Messrs. Ramos, Leneus, and Florio, Rutherford and Petrosky (joined @4:30pm); Ms. Romano, Ms. Frederic, and Ms. Collum. Absent: Ms. Bonanno, Ms. Fox, and Mr. Dafis.

Also, in attendance were Director Johnson; Messrs. Bonaccorso, Phillips, Akinokun, Volpe, Barry, Kelly, 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; N. Towers and J. Bonaccorso of CME Associates; R. LaMendola of AVA Consulting LLC, Everett Johnson of Wilentz, Goldman & Spitzer and David Leun of CDM Smith.

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

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

The following verbal report was given:

Personnel & Procurement Committee: Chair Florio stated that the Committee met, discussed, and recommends authorization of the following: Resolution Awarding Contract for General Engineering Services (R-115/23), Resolution Awarding Contract for Special Engineering Services (R-116/23) Resolution Awarding Contract for General Counsel (R-117/23), Resolution Awarding Contract for Labor and Employment (R-118/23), Resolution Awarding Contract for Special Counsel for Pretreatment Violations (R-119/23), Resolution Awarding Contract for Special Conflict Counsel (R-120/23), Resolution Awarding Contract for Auditing Services (R-121/23), Resolution Awarding Contract for Insurance Broker Services (R-122/23), Resolution Awarding Contract for Bond Counsel (R-123/23), Resolution Awarding Contract for Financial Advisor Services (R-124/23), Resolution Awarding Contract for QPA Services (R-126/23).

On motion by Ms. Frederic, seconded by Ms. Romano, Resolution (R-115/23) Awarding a Contract to CME Associates for General Engineering Services was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay,

none.

On motion by Ms. Frederic, seconded by Ms. Romano, Resolution (R-116/23) Awarding a Contract to AVA Consulting LLC for Special Engineering Services was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

On motion by Mr. Ramos, seconded by Mr. Florio, Resolution (R-117/23) Awarding a Contract to Connell Foley LLP for General Counsel was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

On motion by Mr. Florio, seconded by Ms. Frederic, Resolution (R-118/23) Awarding a Contract to Antonelli Kantor Rivera for Labor and Employment Counsel was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

On motion by Mr. Ramos, seconded by Mr. Florio, Resolution (R-119/23) Awarding a Contract to Antonelli Kantor Rivera to serve as Pretreatment Violations Counsel was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

On motion by Mr. Leneus, seconded by Ms. Romano, Resolution (R-120/23) Awarding a Contract to Antonelli Kantor Rivera to serve as Special Conflict Counsel was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

On motion by Mr. Florio, seconded by Mr. Ramos, Resolution (R-121/23) Awarding a Contract to Suplee Clooney & Company for Auditing Services was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

On motion by Ms. Frederic, seconded by Ms. Romano, Resolution (R-122/23) Awarding a Contract to Fairview Insurance Agency for Insurance Broker Services was adopted. On Roll call: ayes, Messrs. Florio, Leneus and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, Mr. Rutherford.

On motion by Mr. Rutherford, seconded by Ms. Romano, Resolution (R-123/23) Awarding a Contract to Wilentz, Goldman & Spitzer for Bond Counsel was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

On motion by Ms. Romano, seconded by Mr. Ramos, Resolution (R-124/23) Awarding a Contract to Echo Valley Advisors for Financial Advisor Services was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay,

none.

On motion by Ms. Romano, seconded by Mr. Ramos, Resolution (R-126/23) Awarding a Contract to Governance & Fiscal Affairs, LLC for QPA Services was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

Resolution (R-125/23) Awarding Contract to XXXXX for Grant Writing Services was tabled.

Resolution (R-127/23) Awarding Contract to Anselmi & DeCicco, Inc. for Co-Generation Upgrade – Phase II was tabled.

A Consent Agenda vote was requested and on motion by Ms. Collum, seconded by Ms. Romano, the following Resolutions were considered as a group: Resolution (R-112/23) Payments of Bills, Resolution (R-114/23) Annual Notice of Meetings, Resolution (R-128/23) Authorizing the Execution of an Agreement with Great Lakes Environment Center Through the New Jersey Harbor Dischargers Group for 2023-2024, Resolution (R-129/23) Authorization to Bid Various Services, Equipment & Materials, Resolution (R-130/23) Awarding Contract to Polydyne Inc. for Furnishing and Delivering Bulk Liquid Polymer, Resolution (R-131/23) Awarding Contract to Kuehne Chemical Co., Inc. for Furnishing and Delivering 15% Sodium Hypochlorite, Resolution (R-132/23) Awarding Contract to Montana Construction Corporation Inc. for Providing Excavation & Repair Services on an "As Needed" Basis to the Joint Meeting's Wastewater Treatment Facility & Biosolids Facilities, Resolution (R-133/23) Awarding Contract to Montana Construction Corporation Inc. for Providing Excavation & Repair Services on an "As Needed" Basis to the JMEUC Trunkline Collection, Manholes & Flow Monitoring Systems, Resolution (R-134/23) Awarding Contract to Catalytic Combustion Corporation for Furnishing and Delivering Exhaust Catalyst Elements, Resolution (R-135/23) Awarding Contract to Dave Heiner Associates, Inc. for Furnishing and Delivering Proprietary Moyno Spare Pump Parts, Resolution (R-136/23) Awarding Contract to Foley Power Systems through Sourcewell, Resolution (R-137/23) Authorizing a Purchase Order to Koester Associates, Inc. for Providing Walker Process Gaskets, Resolution (R-138/23) Authorizing a Purchase Order to Xchanger, Inc. for Providing S/N: 0807-B10556 Replacement Parts, Resolution (R139/23) Authorizing a Purchase Order to Airgas USA, LLC for the Leasing of Gas Cylinders, Welding Supplies and Gases, Resolution (R-140/23) Authorizing a Purchase Order to Ineltech Corporation for Providing Preventive Maintenance Services, Parts, Repairs and Emergency Repairs for the ANVIC Controllers of MSP1 and MSP3 and the VFD Controllers of MSP2, MSP4 AND MSP5, Resolution (R-141/23) Authorizing Execution of Right of Access Agreement with Croda Inc., Resolution (R-142/23) R-142/23 – Annual State Purchasing Contracts, Resolution (R-143/23) Authorizing the participation in the Financial Incentive Program (SHBP), Resolution (R-144/23) Appointing Nathan N. Rogers as the Public Agency Compliance Officer for the Year 2024, Resolution (R-145/23) 2024 First Quarter Assessment. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford and Ramos; Ms. Romano, Ms. Frederic, and Ms. Collum; nay, none.

Under Finance and Budget, Mr. Rutherford spoke to the Board about the makeup of the budget. Mr. LaMendola gave a brief explanation to the Board Members about the assessment process and how the City of Elizabeth's contribution to the budget effects the overall calculations.

Following this discussion, on motion by Mr. Rutherford, seconded by Mr. Ramos Resolution (R-113/23) Approving the 2024 Budget was adopted. On Roll call: ayes, Messrs. Florio, Leneus, Rutherford, Petrosky and Ramos; Ms. Romano and Ms. Frederic; nay, Ms. Collum.

On motion by Ms. Collum, seconded by Mr. Florio, the Treatment Plant Report, the Industrial Pretreatment Report, the Financial Report and the 2024 Annual Assessment Report having been mailed to the Board members were received and ordered printed. On motion all in favor, nays, none.

On motion by Ms. Romano, seconded by Ms. Frederic, 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 – Oct. & Nov.), 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 Mr. Florio, seconded by Mr. Rutherford, the public comment portion of the meeting was opened. Hearing no one, the Public Comment Session was declared closed. On motion to close public comment by Mr. Rutherford, seconded by Ms. Romano. On motion all in favor, nays, none.

There was no closed session.

There was no unfinished business.

Under new business, the next meeting date will be on January 18, 2024

There being no further business, on motion by, Ms. Romano, seconded by Mr. Florio, the meeting then adjourned at 5:14 pm to meet again on January 18, 2024, unless called earlier by the Chair. On motion all in favor, nays, none.

Respectfully submitted,

Secretary
Anibal Ramos Jr.