

**NEWARK WATERSHED CONSERVATION AND DEVELOPMENT CORPORATION**  
 40 CLINTON STREET, FOURTH FLOOR  
 NEWARK, NJ 07102

**BOARD OF TRUSTEE REGULAR MEETING**  
 FEBRUARY 28, 2011

**MINUTES OF BOARD MEETING**

**OPENING OF MEETING**

Called to order: 12:22 p.m.

**INTRODUCTIONS/ROLL CALL**

<b>Name</b>	<b>Present/Y</b>	<b>Absent/N</b>
The Hon. Cory A. Booker, Mayor, City of Newark		X
The Hon. Donald M. Payne, Councilman at Large	X Arrives at 12:33 p.m.	
Oscar James, II	X	
William T. Merritt	X	
Rodney Johnson	X	
Vaughn L. McKoy, Esq.	X	
Linda Watkins-Brashear . Executive Director	X	
Elnardo J. Webster, II, Esq. . General Counsel	X	
Jodi M. Luciani, Esq.	X	

Were any members of the public present?		X
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**Review of the call for the meeting:** This is a public meeting of the Board of Trustees of the Newark Watershed Conservation and Development Corporation. At the public meeting action will be taken on a variety of motions. In accordance with the requirements of the Sunshine Law this meeting was announced by advertisement in the Star Ledger.

Board Chair McKoy calls the meeting to order at approximately 12:22 pm.

Board Chair McKoy asked if all Board Members present received their packages and had an opportunity to review same, and the minutes from the January 24, 2011 regular meeting contained therein. Board Chair McKoy states the minutes accurately reflect the meeting and contain no material deficiencies or omissions. Board Chair McKoy requests said minutes be moved for approval.

**ADMINISTRATIVE MATTERS**

*Motion to approve meeting minutes of January 24, 2011.*

*Board Chair McKoy requests a motion to approve the minutes.*

*Motion to approve minutes:*

Moved by W. Merritt Second by R. Johnson

Vote:	<u>Yes</u>	<u>No</u>	<u>Absent/ Not Present</u>
The Hon. Cory A. Booker, Mayor			X
The Hon. Donald M. Payne, Councilman at Large			X
Vaughn L. McKoy	X		
Oscar James, II	X		
Rodney Johnson	X		
William T. Merritt	X		

Action taken Motion Passed

**RESOLUTIONS**

AA-43. Resolution to authorize Trustee McKoy, Trustee Merritt and Executive Director Linda Brashear as Signatories on the Checks in an amount Exceeding \$25,000 made payable by the Newark Watershed Conservation and Development Corporation

Moved by R. Johnson Second by W. Merritt

Vote:	<u>Yes</u>	<u>No</u>	<u>Absent/ Not Present</u>
The Hon. Cory A. Booker, Mayor, City of Newark			X
The Hon. Donald M. Payne, Councilman at Large			X
Vaugh L. McKoy	X		
Oscar James, II	X		

Rodney Johnson	X
William T. Merritt	X

Action taken \_\_\_\_\_ Motion Passed \_\_\_\_\_

Executive Summary

*Contract between the City of Newark and the Newark Watershed*

Executive Director Linda Brashear informed the Board of Trustees that, in connection with the proposed contract between the Newark Watershed and the City of Newark, the Newark Watershed anticipates being heard by the Municipal Council during the March regular Council meeting. Ms. Brashear further informed that Board Members that an allegation letter was recently submitted to the Council President and the Council-as-a-whole, regarding the watershed properties, as well as other aspects of the Newark Watershed operations. Ms. Brashear stated that she discussed the letter with Council President Payne to clarify why there could be no transfer of watershed property. Among others, the two main reasons she explained were the moratorium on the watershed property and the State conservation easements. Moreover, Ms. Brashear explained that the Townships had used the incorrect designation on their tax bills, and therefore, the Newark Watershed provided letters to each Township requesting removal of the MUA designation from the property tax bills to be replaced with City of Newark, c/o Newark Watershed. Elnardo J. Webster, II, General Counsel, additionally stated that it is important to note that, despite the tax bills, the deeds remain in the City of Newark's name.

With respect to the contract, Ms. Brashear stated that the Newark Watershed has been in contact with the Business Administrator and plans to attend the Municipal Council pre-meeting to address any questions by the Council. Ms. Brashear further indicated that included with the contract, the Newark Watershed prepared the budgets, the audits and documentation regarding employment. She invited Andrew Pappachen, Plant Manager, to answer any questions regarding the Pequannock Water Treatment Plant, and Valerie James to address any questions concerning Camp Watershed. Board Chair McKoy requested the results of the Municipal Council meeting be circulated to the Board of Trustees.

*Spring Energy Tour*

Ms. Brashear explained that there has been a great deal of interest recently from vendors regarding wind, solar and hydro energy projects on the watershed property. As such, the Newark Watershed has scheduled a tour in May of this year, in order for the vendors to examine the property and later submit proposals for energy saving measures. At this time, Board Member Payne arrives to the Board meeting. A discussion ensues regarding which property has been vetted for such projects. Thereafter, Ms. Brashear stated that preliminary discussions with energy companies have demonstrated an ability to receive grant funds for energy projects. Mr. Webster and Ms. Brashear discussed the logistics of such proposals and projects, and Ms. Brashear concluded that the Newark Watershed anticipates this being a revenue generating opportunity for the City.

*State Comptroller Report*

Mr. Webster explained to the Board that Matthew Boxer of the State Comptroller's Office, recently released a report regarding on-line transparency in local authorities. He informed the

Board that within this report, and follow-up article, Mr. Boxer made certain recommendations with respect to becoming completely transparent on-line. Specifically, Mr. Boxer recommended that local authorities post their budgets, audits and financial information on a website, as well as contact information, monthly agendas and monthly minutes. Mr. Webster stated that the Newark Watershed has already established a good website and now recommends that its website include those items outlined in Mr. Boxer's report. All Board Members were in agreement and Ms. Brashear stated that the Newark Watershed will, going forward, post said information on its website.

*City of Newark Task Force*

Ms. Brashear indicated to the Board that the City of Newark, Councilman Rice in particular, is spearheading a Task Force with the purpose of examining the Water and Sewer system and making recommendations to the City on how to resolve ongoing issues with the system. Mr. Webster explained that the City intends to form a committee that will investigate the system and try to address certain issues currently faced by the Water and Sewer Department, such as the following:

- Water and sewer rates;
- Administrative Consent Orders;
- EPA mandates;
- Declining revenues; and
- Billing and collections.

Overall, Mr. Webster stated that Councilman Rice is looking to get more community involvement in the operation of the Water and Sewer Department. A discussion was then held regarding the vacancies on the Board of Trustees and potential candidates to fill said vacancies.

**NEXT MEETING:**

Date / Time: March 21, 2011

**MEETING ADJOURNED**

*Motion to adjourn the meeting.*

Moved by     R. Johnson     Second by     W. Merritt    

Vote:	<u>Yes</u>	<u>No/</u>	<u>Absent/</u> <u>Not Present</u>
The Hon. Cory A. Booker, Mayor			X
The Hon. Donald M. Payne, Councilman at Large		X	
Oscar James, II	X		
William T. Merritt	X		
Rodney Johnson	X		
Vaughn L. McKoy, Esq.	X		

Action taken     Meeting adjourned    

***Adjourned at approximately 1:14 p.m.***

