

**NEWARK WATERSHED CONSERVATION AND DEVELOPMENT CORPORATION**  
 40 CLINTON STREET, 4<sup>TH</sup> FLOOR  
 NEWARK, NEW JERSEY 07102

**BOARD OF TRUSTEE REGULAR MEETING**  
 NOVEMBER 21, 2011

**MINUTES OF BOARD MEETING**

**OPENING OF MEETING**

Called to order: 12:05 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
Oscar James, II	X	
William T. Merritt	X	
Rodney Johnson	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
---	--	---

**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.

Board Vice Chair Johnson calls the meeting to order at approximately 12:05 pm. Board Vice Chair Johnson asked if all Board Members present received their packages and had an opportunity to review same, and the minutes from the October 24, 2011 regular meeting contained therein. Board Vice Chair Johnson states that the minutes accurately reflect the meeting and contain no material deficiencies or omissions. Board Vice Chair Johnson requests said minutes be moved for approval.

**ADMINISTRATIVE MATTERS**

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

*Board Vice Chair Johnson requests a motion to approve the minutes.*

*Motion to approve minutes:*

Moved by W. Merritt Second by O. James

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
Oscar James, II	X		
Rodney Johnson	X		
William T. Merritt	X		

Action taken Motion Passed

**Executive Summary**

***Board of Trustees***

With respect to the existing vacancies on the Board of Trustees, Executive Director Linda Watkins-Brashear informed the Board Members that the Municipal Council has still not approved any of the candidates. She stated that the appointments have been presented to the Municipal Council for the past three meetings and are now expected to be placed on the following week's Municipal Council agenda. She explained that Councilman Baraka felt in general that his appointments had not been reviewed by the Municipal Council and therefore, he would not move on the Newark watershed appointments first. Ms. Brashear indicated that during the first Municipal council meeting there was a clerical error with the nominations and during the second meeting, there was concern raised that no nominee had been interviewed. She stated that the candidates had, however, been interviewed during the first Municipal Council meeting. A brief discussion was held regarding the qualifications and credentials of the candidates. Board Vice Chair Johnson inquired about the likelihood of passage and Ms. Brashear responded that she did not know.

## *Cedar Grove Project*

Eluardo J. Webster, II, General Counsel, presented a status update on the Cedar Grove Project. He stated that approximately three weeks ago the Newark Watershed and City of Newark held an internal meeting at Little Falls to hash out Andrew Pappachen's, Plant Manager, strategy with respect to proposing an alternative plan for covering the Cedar Grove Reservoir. Mr. Webster explained that the City's current plan, submitted by Hatch Mott McDonald, proposed to construct concrete storage tanks, while Andrew proposes the construction of a UV treatment plant. He further stated that Andrew's plan took wild assumptions into consideration, including the fact that there is no surface water run off at Cedar Grove, but was economically feasible. Mr. Webster praised Andrew Pappachen for his efforts and determination over the past months. Particularly because, Mr. Webster stated that a meeting was recently held with the New Jersey Department of Environmental Protection (NJDEP) and the Environmental Protection Agency (EPA) to discuss the alternative plan, and the agencies agreed to sign off on the new proposal. Mr. Webster informed the Board Members that as a result of Andrew's efforts, the City will go from spending between \$110,000,000 and \$115,000,000 on storage tanks to spending \$15,000,000 on a UV treatment plant. Mr. Webster explained that the Newark Watershed and the City are working together to send a draft letter to the DEP with the new proposal, asking the DEP and EPA to verify some assumptions, and sign off on the proposal. Mr. Webster indicated that, during the meeting, the EPA deferred to the DEP.

Mr. Webster stated that Andrew Pappachen, with the assistance of Joseph Beckmeyer and John George, saved the City approximately \$100,000,000 and should be given deserved credit and praise because a lot of people did not believe him. He indicated that Andrew did an excellent job of meeting with the regulators, and as a result, the City is now moving in a better direction with positive regional impacts.

Ms. Brashear stated that there is a DEP inspection scheduled at Cedar Grove on November 28, 2011. Mr. Webster said that, as this process and project continue, he will try to get operating subsidies from the State. Board Vice Chair Johnson inquired how the UV treatment works and Mr. Webster responded that the water is treated in three tiers; (1) bleach it, (2) UV treat it; and (3) add chlorine. Board Vice chair Johnson asked whether the UV treatment plant would help with turbidity issues and Mr. Webster answered in the negative, stating that turbidity is an issue at the Pequannock Water Treatment Plant which has led to shutting down of the plant on occasion. Board Vice Chair Johnson inquired whether the City would need approvals to build a new secondary treatment plant in Montclair and Mr. Webster explained that site plan approval would be necessary. He offered a timeline of approximately six months to prepare a new feasibility study and receive DEP approvals. Mr. Webster concluded the conversation by stating that the city may never understand how close they came to the serious funding issue they would have faced with the old proposal. He again stated that Andrew Pappachen deserves praise for his efforts.

## *AWWA*

Ms. Brashear explained that the AWWA is a group of individuals formed to discuss all of the many issues faced in infrastructure management, such as lack of public knowledge and lack of educated public officials. Mr. Webster informed that Board members that, interestingly, said issues were presented on Morning Joe, a talk show. He explained that the broadcast dealt with the fact that due to economic constraints, no one is spending on infrastructure. Ms. Brashear explained that, during the most recent meeting of the AWWA, twenty-five individuals from

various municipal utilities authorities discussed the pushback they are receiving from their towns to get rid of the agencies as a result of their surplus. The individuals agreed to prepare a paper and testify in Trenton . the focus of which would be to educate the public on water issues, to illustrate the struggles they face with funding projects and to inform the public on much needed ongoing maintenance. She stated that no one wants to be the responsible for a failed system, but more importantly, many do not recognize the need for infrastructure management. Mr. Webster discussed various examples of these monetary issues challenging authorities in the northern region. He indicated that there are chronic problems in these systems, including the need for capital and the failure of employees to perform operations and maintenance on the systems. Ms. Brashear said that one of the problems is that the City needs more regulations because many of the officials do not believe the reports. For example, Ms. Brashear stated that the Municipal Council is reluctant to pass rate increases, although they are necessary for the efficient operation of the system. She believed that the officials to not understand why the rate increases are proposed and how the money would be utilized.

A brief discussion was held regarding the self-liquidating status of the Water and Sewer Department. Mr. Webster then informed the Board members that he recently met with Talib Aquil, assistant director of the Water and Sewer Department to discuss billing and collections. He indicated that the City has 43,000 accounts and of those, 18,000 are delinquent. Mr. Webster explained that Talib is trying to hire a collections agency for the City. Ms. Brashear asked whether this idea has been presented to the Municipal Council yet and Mr. Webster responded in the negative. Board Vice Chair Johnson inquired whether the collection agency would be in addition to the new billing and collection software. Mr. Webster answered affirmatively, indicating that the new billing and collections software is expected to be online next year. He explained that the goal of hiring the collection agency is to get the percentage of delinquent accounts down to less than %10. Board member James discussed specific accounts that remain delinquent and recommended that the City work on developing a uniform system. Mr. Webster agreed and further explained that the purpose of the collection agency is to make sure the City abides by the due process rights of the residents in getting paid on delinquent accounts. He indicated that the agency would place two calls and send three notices to the delinquent account holder. At the close of thirty days, a final notice would be provided. He stated that if the account remains delinquent for sixty days thereafter, the water would be shut off.

### *Camp Watershed*

With respect to Camp Watershed, Ms. Brashear informed the Board Members that they are coming to the end of the season. She explained that the Newark Watershed was able to continue with the Camp's ski program, and pay for ski lift tickets and lessons for twenty kids. She indicated that the Newark Watershed was able to continue with the Fall foliage tours, providing the food, as well. Ms. Brashear stated that the Newark Watershed remains under budget and thus, will see the Camp through to the end of the season. Mr. Webster asked Ms. Brashear how many Councilpersons came up to see the Camp and Ms. Brashear responded none. She stated, however, that Councilman Shariff recently toured the Watershed and has become very involved with the operations.

### *Newark Watershed Conservation and Development Corporation 2012 Contract for Services*

With respect to the 2012 Contract for Services between the City and the Newark Watershed, Ms. Brashear stated that we are moving forward in the process. She explained that Joseph Beckmeyer encountered an issue with the Certification of Funds as a result of the way the

Finance Department appropriates funds. She indicated, however, that the Newark Watershed will be able to do partial funding. Jodi Luciani, General Counsel, provided an update to the Board Members regarding the legislative process to have the Contract placed on the Municipal Council's December agenda.

*Fall Energy Tour*

With respect to the fall energy tour, Ms. Brashear stated that the Fall energy tour took place on Thursday, October 27, 2011. She indicated that the Newark Watershed had fifteen participants. At this time, Ms. Brashear explained that the Newark Watershed is working to follow up with the participants and potentially negotiate beneficial energy savings contracts on behalf of and for the benefit of the City.

**Old Business**

None.

**NEXT MEETING:**

Date / Time: December 19, 2011

**MEETING ADJOURNED**

*Motion to adjourn the meeting.*

Moved by W. Merritt Second by O. James

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
Oscar James, II	X		
William T. Merritt	X		
Rodney Johnson	X		

Action taken Meeting adjourned

***Adjourned at approximately 1:20 p.m.***