

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

**BOARD OF TRUSTEE REGULAR MEETING**  
 MARCH 19, 2012

**MINUTES OF BOARD MEETING**

**OPENING OF MEETING**

Called to order: 12:23 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
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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.

Board Vice Chair Johnson calls the meeting to order at approximately 12:23 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 December 20, 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 December 20, 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

**RESOLUTION**

12-001– Resolution transferring contract with Trenk, DiPasquale, Webster, Della Fera & Sodono, P.C. for General Counsel Services to Genova, Burns & Giantomasi

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, City of Newark	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

*Pequannock Water Treatment Plant Memorandum of Understanding*

Executive Director Linda Brashear gave a status update on the Pequannock Water Treatment Plant Memorandum of Understanding with the City of Newark (“PTWP MOU”). Ms. Brashear explained that the PWTP MOU expired on February 28, 2012. As a result of this expiration of the contract and the catastrophic consequences of terminating services at the Treatment Plant, the City Administration has decided to proceed with entering into an emergency contract with the Newark Watershed for a period of ninety (90) days. She further stated that it is unknown, at this time, whether the City will continue the emergency contract after the expiration of the 90 days.

Elnardo J. Webster, II, General Counsel, explained that, two weeks ago, representatives of the Newark Watershed and representatives of the City Administration met with the Director of the Department of Community Affairs and the State monitors, to present on the status of the PTP MOU, as well as the Department of Water and Sewer. He indicated that the State agreed that, in order, to continue the operations of the Treatment Plant, the City should procure through and emergency contract. In addition, Mr. Webster discussed the possibility of the State supporting the formation of a Municipal Utilities Authority ("MUA"). He stated that the Newark Watershed, along with Walter Frye and General Counsel, were in the processing of preparing information to provide to the State regarding the previous effort to form an MUA and the possible integration of the Newark Watershed. Mr. Webster indicated that the City's proposed budget apportions sixteen million from an MUA.

At this time, a brief discussion was held amongst the Board Members regarding the politics surrounding the formation of an MUA and the failed formation of NiMAC. Additionally, the Board Members discussed the upcoming Newark election and potential candidates.

#### *Investigative Committee and Order to Show Cause*

Mr. Webster presented a status update on the City Investigative Committee. He indicated that the Municipal Council, recognizing the invalidity of the December 13, 2011, Resolution creating the Committee, will vote at the upcoming Council meeting to reform the Investigative Committee. This Resolution is supposed to be procedurally correct and in compliance with the statutory requirements. Mr. Webster stated that, upon review of the Resolution, the Newark Watershed is prepared to withdraw the pending Order to Show Cause. He further explained that the Newark Watershed is willing to go before the Investigative Committee to testify sans subpoena. Ms. Brashear inquired what the best approach to the hearing would be in terms of presentation. Mr. Webster believes a power point presentation is unnecessary. He indicated that Ms. Brashear should be prepared with an opening statement, a history of the corporation and its relationship with the City and responses and clarification to the Newark Water Group's baseless and outrageous allegations. Board Member James agreed, adding that the presentation should be succinct enough for the Municipal Council to be able to process all of the information – as there is a sizeable amount of information.

#### *Cedar Grove Project*

Ms. Brashear stated that Joseph Beckmeyer, Engineering Consultant to the Newark Watershed, is in the process of finalizing a letter to Karen Fell, at the State, regarding the proposed alternative to the Cedar Grove Reservoir compliance issue. Should the State accept the Newark Watershed's proposal, it will result in an estimated one million dollar savings to the City.

In addition, Ms. Brashear indicated that the pipe to the reservoir has been repaired, and thus, the reservoir will begin to refill on March 21, 2012. She explained that a letter has been provided to Public Information for dissemination, stating that the fill may result in slight discoloration of water or reduced pressure.

*Camp Watershed*

With respect to the Camp Watershed program, Ms. Brashear stated that they have completed to overnight program, as well as the ski program for approximately one hundred and fifty (150) kids. She explained that the summer program will start up between April 7<sup>th</sup> and May 19<sup>th</sup>. Ms. Brashear said that she received a call from the City Department of Recreation, which provides transportation to the Camp, indicating that they were asked to cut their budget. As such, in order to provide transportation, the Newark Watershed will need to cover \$65,000 in costs. Ms. Brashear explained that the Newark Watershed will be able to cover the costs through its \$365,000 budget, as long as it comes up with an additional \$20,000. Ms. Brashear emphasized the importance of continuing the Camp Watershed program and stated that the corporation will come up with the additional funds. In addition to continuing the Camp Watershed summer program, Ms. Brashear explained that the Newark Watershed will continue its anti-bullying initiative. She indicated that the corporation presented to the schools in March and will do so again in April.

Before concluding the Board of Trustees meeting, Board Vice Chair Johnson inquired as to the status of the GIS and GPS installation. Executive Director Brasher stated that the systems have not been installed at the Newark Watershed, but the corporation received a sampling through a testing phase. She anticipated that the system should be live by middle of April.

**Old Business**

None.

**NEXT MEETING:**

Date / Time: April 16, 2012

**MEETING ADJOURNED**

*Motion to adjourn the meeting.*

Moved by W. Merritt Second by R. Johnson

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

Action taken Meeting adjourned

***Adjourned at approximately 1:08 p.m.***