

NEWARK WATERSHED CONSERVATION AND DEVELOPMENT CORPORATION
 40 CLINTON STREET, 4TH FLOOR
 NEWARK, NEW JERSEY 07102

BOARD OF TRUSTEE REGULAR MEETING
 OCTOBER 22, 2012

MINUTES OF BOARD MEETING

OPENING OF MEETING

Called to order: 10:50 a.m.

INTRODUCTIONS/ROLL CALL

Name	Present/Y	Absent/N
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 10:50 am. The Board of Trustees Meeting took place at The Newark Club located at 1 Newark Center, Floor 22A, Newark, New Jersey 07102. 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 September 10, 2012, regular meeting contained therein, as well as the minutes from the September 13, 2012 Special Meeting of the Board of Trustees. Board Vice Chair Johnson states that the minutes accurately reflect the meetings 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 September 10, 2012.

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>
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The Hon. Cory A. Booker, Mayor	X		
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The Hon. Donald M. Payne, Councilman at Large	X		
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Oscar James, II	X		
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Rodney Johnson	X		
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William T. Merritt	X		
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Action taken Motion Passed

Motion to approve Special meeting minutes of September 13, 2012.

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

Motion to approve Special Meeting minutes:

Moved by W. Merritt Second by O. James

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

Executive Summary

Plant Manager Report

Executive Director Linda Brashear introduces Andrew Pappachen, Plant Manager of the Pequannock Treatment Plant to advise the Board of Trustees on the status of operations and projects. Mr. Pappachen informs the Board that he recently attended the Water Environment Federation meeting, where he identified areas in need of new technology. In addition, Mr. Pappachen advises the Board that the bid for repair and replacement of the plate settlers has been published. All bids are scheduled to be received on October 23, 2012. Mr.

Pappchen states that the sludge lagoon dredging project has been placed on hold due to a lack of funding and inability to bond for the project, as a result of the failure to increase rates. Board Vice Chair Johnson inquires whether the Water Department will be penalized for its inability to complete the project and Mr. Pappachen responds that the dredging is necessary, however the Local Finance Board will not permit the Council to proceed with any projects without a rate adjustment, which the Council has refused to consider. Mr. Pappachen and Ms. Brashear indicate that the Newark Watershed has attempted in the past to reduce the levels of sludge at the lagoon. Ms. Brashear states that the Newark Watershed bid this project in the past and the lowest bidder was unable to perform. At this time, the Newark Watershed will continue to attempt to control the sludge lagoon levels by bidding the project a second time.

With respect to the Homeland Security grant, Mr. Pappachen states that the security project will be completed this month. He discusses the cameras and monitors at the TP control room, as well as the installation of electronic gates. Mr. Pappachen is in the process of revising the security plan and emergency plans. Board Member James inquires whether the cameras may be installed and connected to the police precincts around the Watershed properties. Mr. Pappachen advises that the first phase of the project is to connect to the internet based security system and the second phase of the project will be to connect to Newark police. Mr. Pappachen then informed the Board that the Newark Watershed has worked to secure a grant from the United State Environmental Protection Agency in the amount of \$519,000 for the purpose of dam security. Said grant must be executed by the Department of Water and Sewer, and has not been executed yet. Mr. Pappachen further indicates that the New Jersey Department of Environmental Protection conducted its annual dam safety inspections on October 16, 2012. He states that the Newark Watershed will be prepared for winter if and when the USEPA grant is received and the plate settlers project is completed.

Mr. Pappachen informs the Board that recently there had been two major leaks in the system and two minor leaks on the aqueducts. He indicates that Water and Sewer Department is responsible for repairing the major leaks, and had spent \$420,000 for fiber lining on the pipelines. Mr. Pappachen states that the Newark Watershed repaired the two minor leaks on the aqueduct. He advises that the Water and Sewer Department has been placed on notice to contract for the repair of all issues related to the aqueducts.

With respect to the Cedar Grove Reservoir Administrative Consent Order, Mr. Pappachen informs the Board that the Newark Watershed met with the NJDEP and USEPA regarding the status of the proposed UV Treatment Plant. He indicates that the Newark Watershed must initially collect daily information of turbidity and particle counts and provide to those agencies for review, prior to any determination.

Mr. Pappachen discusses the ongoing training for Water and Sewer employees, as well as treatment plant personnel. He indicates that Essex County offers training for advanced licensing, and states that the Water and Sewer employees should enroll in classes. As the Licensed Operator of the water supply system, Mr. Pappachen advises that he has full cooperation of those City employees working in the laboratory, but does not have the full cooperation of those that perform work on the distribution system.

Mr. Pappachen informs the Board that the Newark Watershed recently repaired the City regulators on the water system. Said regulators should be in good working condition for the following fifteen years. Board Vice Chair Johnson and Mr. Pappachen the status of permitting on the watershed. Board Vice Chair Johnson then inquires whether the installation of the new security system has reduced the amount of theft and vandalism at the watershed properties. Mr. Pappachen replies in the affirmative, indicating that trespassing is down, as well. Mr. Pappachen concludes his presentation by informing the Board of the companies retained to perform the aqueduct repairs, and departs from the Board meeting.

Future of Newark Watershed

Ms. Brashear begins the discussion on the status of operations and contracts between the City and Newark Watershed, by presenting the Executive Order of the City. She indicates that said Executive Order declares a public health and safety emergency for the water supply system, and orders that the Newark Watershed remain under contract with the City until such time that the City determines an alternative solution to the state of the Water and Sewer Department. Ms. Brashear indicates that the purpose of the Executive Order is to continue operations for the benefit of the citizens of the City without the quarterly interruptions.

Save Our Water Ordinance

Ms. Brashear informs the Board that the hearing before Judge Carey regarding the validity of the Save Our Water Ordinance, adopted by the City Council on September 11, 2012, is scheduled to take place today, October 22, 2012 at 1:30pm. The Board of Trustees agree to finish the remaining agenda business and then enter into Executive Session to discuss the pending litigation.

Newark Watershed Personnel

Executive Director Brashear states that the Newark Watershed is in the process of reorganizing its personnel. To that end, Ms. Brashear explains that there will be title changes ahead at the Newark Watershed Administrative offices, which will be discussed with the Board in the near future. Ms. Brashear informs the Board that the Newark Watershed is in the process of updating its policies and procedures to further address hiring procedures and other personnel related matters. She indicates that the manual will be presented to the Board in November or December, as well as the annual budget and audit report.

At this time, Board Vice Chair Johnson requests a motion for Executive Session to discuss the pending litigation before Judge Carey in Essex County Superior Court regarding a Save Our Water Ordinance.

Board Vice Chair Johnson requests a motion for Executive Session.

Motion to go into Executive Session:

Moved by W. Merritt Second by O. James

Vote:	<u>Yes</u>	<u>No</u>	<u>Absent/ Not Present</u>
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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

Motion to come out of Executive Session:

Moved by W. Merritt Second by O. James

Vote:	<u>Yes</u>	<u>No</u>	<u>Absent/ Not Present</u>
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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

The Board of Trustees came out of Executive Session at 11:20 a.m. During Executive Session, the Board of Trustees discussed the pending litigation regarding a Save Our Water Ordinance.

New Business

None.

Old Business

None.

NEXT MEETING:

November 2012 meeting information to be circulated to the Board and noticed at a later date.

MEETING ADJOURNED

Motion to adjourn the meeting.

Moved by W. Merritt Second by R. Johnson

Vote:	<u>Yes</u>	<u>No/ Absent/</u>	<u>Not Present</u>
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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 11:21a.m.