

MINUTES

PATERSON MUNICIPAL UTILITIES AUTHORITY MEETING

DATE: January 13, 2014

PRESENT: Chairman Erik Lowe, Commissioner Charles Pettiford
(arrival noted below), Commissioner Janet McDaniel, and
Commissioner Kenneth Simmons

ALSO PRESENT: Bruce Ackerman, Legal Counsel

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Pursuant to the Open Public Meetings Act, the meeting of the Paterson Municipal Utilities Authority was held on Monday, January 13, 2014.

Chairman Lowe called the meeting to order at 6:07 p.m.

Legal Counsel read the Statement of Compliance, followed by the roll call.

Approval of Minutes:

The Commissioners considered the review and approval of the minutes of December 9, 2013, and, after discussion, a motion was made by Commissioner McDaniel to approve these minutes as presented, seconded by Commissioner Simmons and approved unanimously.

Public Portion:

Motion made by Commissioner McDaniel to open the meeting to the public, seconded by Commissioner Simmons and approved unanimously.

Sarah Billie, 149 Clinton Street, represents the Passaic County Post. She is doing an article to have public knowledge of the role of the MUA. She will verify her facts with the Chairman prior to any publication.

David Gilmore is unsatisfied with his OPRA request and wants additional information. The Chairman apologized that he has been ill and due to there being no staff to assist, he will get the responsive documents to him shortly. Mr. Gilmore questioned the omission from the last minutes regarding his complaint on grant funding. (Commissioner Pettiford arrives at 6:13 p.m.). Commissioner McDaniel responded that she was not on the MUA at that time and wanted to move forward, having knowledge now of the legal issue and not wanting to continue going over that item now, being several years old.

Commissioner Simmons noted that it was in the minutes. Mr. Gilmore stated that there have been a lot of things he suspects at the MUA. During his discussion, Mr. Gilmore's colleague was filming the proceedings. Legal Counsel explained to him that filming without prior approval was not allowed. The MUA did not have a formal video policy, but without prior approval videotaping at the public meeting was not generally permitted. Mr. Gilmore's colleague stated that he stopped any recording. The Commissioners requested that Legal Counsel provide a proposed policy for review. Commissioner Simmons also responded that the Board of Education typically allows taping with prior notice and approval. Commissioner Pettiford suggests having a committee to review the issue of recording and videotaping, and Commissioner Simmons agrees to serve on such committee with Commissioner Pettiford.

There being no further request by anyone to speak to the Commissioners, a motion was made by Commissioner Simmons to close the public portion, seconded by Commissioner McDaniel, and approved unanimously.

Bills and Communications:

The Chairman presented the financial report with income of \$11,068.06, and proposed expenditures of \$5,244.43, including expenditures for utilities and for snow plowing, which the Chair will explain further. The utilities are being placed in the name of NPS as of January 1, 2014, as discussed last month, and two snow plowing events are included, which are separate from the general grounds cleanup work. After discussion by the Chairman and Commissioners, a motion was made by Commissioner Simmons to approve the financial report and pay the bills indicated, seconded by Commissioner McDaniel, and the motion was approved unanimously.

Legal Report:

Legal Counsel reported that he had discussed with Marty Karpinski of Eagle Creek the need for the lessee to contribute the unfunded portion of the NJ Historic Trust Grant of \$180,000. Legal Counsel provided a copy of the grant agreement to Mr. Karpinski of Eagle Creek. Mr. Karpinski was not aware prior to taking over the project of this obligation and requested a copy of whatever we had with Algonquin having consented to this grant funding project. The Chairman will look into the documentation on hand for this response.

As to the annual budget, Legal Counsel distributed a copy of a proposed resolution for late budget filing based upon the difficulties encountered to get this submitted on time. After discussion, a motion was made by Commissioner McDaniel to approve the resolution for late filing of the budget, which motion was seconded by Commissioner Simmons and voted upon unanimously. The annual budget was redistributed, and the inclusion of page 1D was discussed. As modified, that page notes the work being done to have the MUA documents placed on the City's web site. At present, past minutes for several months are posted, which is the only item to be check marked when submitted.

Legal Counsel continues to work with the City's web site manager to post on the internet the additional documents on the list, as applicable. After discussion, a motion was made by Commissioner Pettiford to approve the budget and budget resolution as presented, seconded by Commissioner McDaniel, and voted upon unanimously.

Chairman Report:

The Chairman discussed the continued discussions regarding a potential solar project with Mitsubishi and FMID. A meeting will be scheduled, which he will attend, and he will forward to counsel for distribution any follow up information at that time. The Chairman reviewed that the utilities for the building, water and electric, were turned over to NPS as of January 1, 2014.

The Chairman reported that Darren Boch of NPS sent an email that NPS had a grant to do trails improvements at MaryEllen Kramer Park. He expects to have a meeting with Passaic Valley Sewer Commission representatives to redo a path on the other side of the Great Falls. The Commissioners discussed the NPS budget for the Great Falls Park in general and how it was not being used to improve the parking lot or the second floor of this building as compared to their improvements to the first floor offices. Upon motion by Commissioner Simmons to establish a committee to discuss with NPS property improvements, seconded by Commissioner Pettiford, it was approved unanimously. Commissioner Pettiford agreed to participate on the committee with the Chairman.

Unfinished and New Business:

In unfinished business, Mr. Gilmore interjected that he still wanted a report on the India trip and how it assisted the MUA. Although outside the public portion, the Chairman explained that he had given a full report to the Paterson Press. Commissioner Pettiford suggested that the Chairman reach out to the Paterson Press and confirm when they intended to publish his interview and report. The Chairman reiterated that he would answer any questions that he may have in regard to the India trip. No questions were presented at this time.

There was no new business presented.

There being no further business, a motion to adjourn was made by Commissioner Pettiford, seconded by Commissioner McDaniel, and voted upon unanimously.

Submitted by:

Next regular meeting on Monday, February 10, 2014, at 6:00 p.m.