

## MINUTES

### PATERSON MUNICIPAL UTILITIES AUTHORITY MEETING

**DATE:** November 18, 2013

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

**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, November 18, 2013.

Chairman Lowe called the meeting to order at 6:01 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 October 21, 2013, and, after discussion, a motion was made by Commissioner Pettiford to approve these minutes as presented, seconded by Commissioner McDaniel and approved unanimously.

#### **Public Portion:**

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

David Gilmore forgot his check for his OPRA requested documents. He is following up his statement in regard to public statements related to the Jazz Festival. He believed that he was the subject of a closed session. Legal Counsel advised him that the closed session last month involved legal advice and only action taken in public would be disclosed other than by closed session minutes when adopted. Commissioner Pettiford commented that the session was without notation of his name. Commissioner McDaniel expressed appreciation for his statements. Mr. Gilmore requested further information on the receipts from the Jazz Festival. Legal Counsel indicated that he had just gotten those materials and that he would send them to him. Mr. Gilmore claimed there should have been \$5,000 for overtime, and none was paid, but conceded that the minutes do not show that discussion about overtime costs and that the minutes control.

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

**Bills and Communications:**

The Chairman presented the financial report with income of \$10,832.95, and proposed expenditures of \$6,511.41, including expenditures for poison ivy spraying. The Chairman noted that the landscaping costs should be lowered for the time when the MaryEllen Kramer Park will be closed for construction and no maintenance needed. After discussion by the Chairman and Commissioners, a motion was made by Commissioner Pettiford to approve the financial report and pay the bills indicated, seconded by Commissioner McDaniel, and the motion was approved unanimously.

(Note – Commissioner Simmons arrived 6:15 p.m.)

**Legal Report:**

Legal Counsel reported that he had distributed a Non-Exclusive License Agreement to the Commissioners that had been prepared and submitted to the MUA by the City's Department of Community Development. After discussion, the Commissioners directed Legal Counsel to submit the agreement with the changes sought to the City for approval. Hopefully, it would be approved and returned for signature by next meeting. No formal action was taken.

**Chairman Report:**

The Chairman distributed the NPS response as to sharing the cost of using the MUA Building and maintenance. NPS suggested that they take over utilities. Commissioner Pettiford requests that NPS also pay or at least share the costs for property maintenance. The Chairman will follow up with NPS.

The Chairman reported on the MEK Park ground breaking, which was attended by Commissioner Pettiford, Commissioner McDaniel, Chairman Lowe and Legal Counsel. The Park should be closed for 14 months, but Overlook Park would remain open.

The representatives of Eagle Creek will be visiting the site. The Chairman and Gianfranco would attend. They requested a copy of the historic grant, which the Chairman will provide through counsel.

The Chairman reported that Joan Chisholm's mother had passed away. The MUA expresses condolences and will send a card to the family. Joan is presently unable to return.

The Chairman distributed the holiday party information for the City's party being held at the Brownstone on December 23<sup>rd</sup>. After discussion, Commissioner Pettiford moved that the MUA purchase three tickets for Commissioners to attend, the motion was seconded by Commissioner McDaniel and voted upon unanimously.

**Unfinished and New Business:**

The Chairman reported that Anthony Salter had sent a business plan. Commissioner Pettiford requested a copy of the Salter report from the conclusion of his work when his last engagement concluded. The Chairman would provide that to him. No formal action was taken.

As to the proposal that was made by FMID and its Memorandum of Understanding as proposed by FMID, the Commissioners discussed that FMID was engaged by a private party to study the feasibility of solar panels being installed in connection with the hotel site. No further action was taken at this time.

In New Business, the Chairman asked about putting some type of illumination to highlight the Great Falls and perhaps Great Falls information. After discussion relating to legal requirements as a Historic Site and NPS involvement, no formal action was taken.

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

Submitted by:

Next regular meeting on Monday, December 9, 2013, at 6:00 p.m.