

THE PARKING AUTHORITY OF THE
TOWNSHIP OF BLOOMFIELD

SPECIAL MEETING MINUTES
OF DECEMBER 27, 2012

The meeting opened 2:00 pm.

Certification of advertised public notification of the meeting was given during the reading of the Open Public Records Act.

Present: Chairman Moserowitz
Commissioner McKee
Commissioner Pomares
Commissioner Williams
Executive Director Hochman

Others Present: Kevin McManimon, Esq., of McManimon, Scotland & Baumann, L.L.C.
Gerry Giosa, Level G Assoc.
Steven Rosefsky, Esq., CHA Properties

Absent: Commissioner Chalet

Pledge of Allegiance was recited.

Chair Moserowitz confirmed that the Counsel memorandums and attachments were reviewed by everyone. Commissioner Pomares questioned if the Authority will be responsible for all work done. Counsel responded that the Authority will be held 100% responsible. The environmental issues stem from the historical usage of the sites (of the garage construction). Chair Moserowitz stated that each party will be responsible for environmental issues for each site originally, before the merger of parcels into one site.

Prior sites were gas stations, dry cleaners but all sites were remediated. Ground water was the issue now being dealt with. Commissioner Pomares stated he had clarity on that point but had questions on the proposals and the differences financially. Counsel McManimon explained that the Brockerhoff proposal was based on eight (8) monitoring wells versus the E.W.M. A. proposal based on three. Another reason for the financial difference is that Brockerhoff has major hourly estimated rates for personnel whereas E.W.M.A. does not. Counsel commented that the Brockerhoff proposal overstated the estimated work hours outrageously. Mr. Brockerhoff was contacted to discuss a possible matching of estimated hours with that of E.W.M.A. but the offer was refused as the Brockerhoff stated the proposal was based on experience.

Counsel McManimon stated the attorney who specializes in environmental issues had a reaction to the difference between proposals. A second opinion also stated the Brockerhoff cost was unjustifiably high and sounded like someone with no experience. Commissioner Pomares speculated that maybe Brockerhoff was trying to get the proposal

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refused so he could get out of the project. Further speculation was made as to the reason for the significant difference between the two proposals. Review of the Brockerhoff proposal caused some Commissioners to question if the figures were deliberately padded to increase the cost. Brockerhoff was brought in to the project due to the larger size of the company, their more specialized staff and is still a good alternative as a choice.

Commissioner McKee asked if the project was still within the expected costs. Counsel reassured the Board that sufficient funds are available to complete the construction and the environmental work.

Counsel explained that the environmental work would not affect the construction schedule as the work was off site. Mr. Rosefsky explained that sites were selected for the work carefully and would not impact on the garage construction but may delay the closing of the project eventually. Commissioner McKee asked if there was a margin of error. Counsel McManimon responded that there was no guarantee additional work would not be necessary.

Commissioner McKee asked Mr. Rosefsky how confident he felt about working with E.W.M.A. Mr. Rosefsky stated he does have confidence in them but wants the fastest most competent work done. He further stated that in all the discussions held with the attorneys, consultants, etc., the decisions were favorable that E.W.M.A. could complete the work. Commissioner McKee asked what would be the additional cost if eight (8) monitoring wells are done by E.W.M.A. or additional investigative work is necessary. Mr. Rosefsky stated factors are unknown with each finding but the experts are comfortable with the expected work. There is anticipation that the work will not result in additional work but there is no guarantee. Chair Moserowitz commented that there is a big 'if' concerning additional work necessary. Mr. Rosefsky stated there is no expectation of the worst happening. He stated the consultants narrowed down the chance of any surprises. Commissioner McKee commented that the E.W.M.A. proposal was as well thought out as you can get.

Commissioner Pomares motioned to approve the E.W.M.A. Proposal for Environmental Services, under Resolution 2012-12-27-1. Commissioner McKee seconded the motion. The motion was carried forward as follows:

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| Roll Call Vote: | Chairman Moserowitz | Yes |
| | Commissioner Chalet | Absent |
| | Commissioner McKee | Yes |
| | Commissioner Pomares | Yes |
| | Commissioner Williams | Yes |

Commissioner Williams commented that permits will have to be issued from Essex County. Counsel McManimon stated that E.W.M.A. does not want to drill in the Watsessing Park. Mr. Rosefsky stated that BCUR will finish the soil investigation and

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submit the report.

Commissioner Pomares motioned to adjourn the meeting. The motion was seconded by Commissioner Williams. The motion was carried forward as follows:

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| Roll Call Vote: | Chairman Moserowitz | Yes |
| | Commissioner Chalet | Absent |
| | Commissioner McKee | Yes |
| | Commissioner Pomares | Yes |
| | Commissioner Williams | Yes |

The meeting adjourned at 3:06 p.m.