



UNION COUNTY UTILITIES AUTHORITY

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Union County Utilities Authority September 21, 2011 Regular Meeting

Chairman Kulish called the meeting to order at 6:30 p.m., in the meeting room of the Union County Utilities Authority, 1499 Routes 1 & 9 North, Rahway, New Jersey.

Notice of Compliance with the Open Public Meetings Act was read by Joseph C. Bodek, Clerk of the Authority.

A roll call of the Commissioners showed the following present: Chairman Kulish, Vice-Chairman Jackus, Treasurer People, Commissioners Badri, Eastman, and Erdos.

Commissioners Absent: Secretary Kennedy, Commissioners Huff and Kahn. Also absent were alternate Commissioner Jorn and Lombardo.

Others Present: Daniel Sullivan and Thomas Brennan of the Authority's staff; Jonathan Williams of DeCotiis, Fitzpatrick, and Cole; Kraig Dowd of Weber Dowd Law; Rich Bauch of Bauch, Zucker, Hatfield, LLC; Dennis Enright of NW Financial; Ed Trainia of CME, Deputy Clerk Lisa M. Miskiewicz and Clerk Joseph C. Bodek.

Chairman Kulish led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Approval of Minutes

Commissioner Erdos moved for approval of the public and executive session minutes of the meetings of August 17, 2011 and August 24, 2011. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a voice vote.

Communications

There were no communications.

Report of Officers

There were no reports from the officers.

Report of Committees, Staff & Counsel – Public Session I

Finance and Budget Committee

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Commissioner Jackus reported that the Finance and Budget Committee had met and recommends approval of the resolutions authorizing the payment of bills. Commissioner Jackus moved the following resolutions: 1) Resolution approving operating and resource recovery facility vouchers for processing and payment; and 2) Approving consulting and legal vouchers for processing and payment. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Personnel/Procurement/Insurance Committee

There was no report for public session.

Operations Committee

Mr. Sullivan gave the report of the Division of Solid Waste Enforcement. He noted that there were 347 (315 type 13 and 32 type 10) solid waste flow inspections/investigations conducted during the month of August 2011.

Mr. Sullivan reported that Ms. Santiago was out sick, and that he would give the monthly enforcement and settlement report. He noted that that a settlement and release was executed in the amount of \$315,000.00, the Authority received \$15,000.00 from the County of Union for waste flow reimbursement. Mr. Sullivan noted the outstanding balances for haulers with assessed penalties. Included in the report were details on tonnage delivered, the SWAC meeting and miscellaneous items addressed.

Solid Waste & Recycling Committee

No report was given.

New Business

There were no items of new business.

Public Comment

There was no public comment.

Report of Committees, Staff & Counsel – Executive Session

Whereas, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits the exclusion of the public from a public body meeting in certain circumstances; and

Whereas, the Union County Utilities Authority Board of Commissioners is of the opinion that such circumstances presently exist; and

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Whereas, the Board of Commissioners wishes to discuss the following issues:

- 1) *Covanta Project Team Update – Contract*
- 2) *Negotiations – Personnel*
- 3) *Matters Covered by the Attorney-Client Privilege*

Whereas, minutes will be kept of the executive session and once the matter above no longer requires confidentiality, the minutes, or appropriate portions thereof, of the executive session will be made available to the public; and

Whereas, the public is now being informed that the Authority may take official action at the conclusion of the executive session.

Now therefore be it resolved by the Union County Utilities Authority Board of Commissioners that the public be excluded from this meeting.

Commissioner Badri moved the resolution for executive session. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:33 p.m.

Commissioner Badri moved to return to public session. The motion was seconded by Commissioner People and was ordered approved by a roll call vote. The Authority returned to public session at 7:02 p.m.

Report of Committees Staff & Counsel – Public Session II

Commissioner Jackus moved the resolution approving and authorizing the execution of a revised Second Amendment to the Amended and Restated Waste Disposal Agreement and a revised First Amendment to the Facility Lease Agreement by and between the Authority and Covanta Union, Inc. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Unfinished/Old Business

There was no unfinished/old business.

Public Comments by Commissioners/Freeholder Liaison

Mr. Sullivan thanked the Commissioners and Professional staff for all their hard work on the new Personnel Manual. He noted that it would be a great help to him in his role as executive director.

Mr. Bodek noted that Freeholder Hudak was the new Freeholder Liaison, and that he was not able to attend this evening, due to a prior commitment, however he looked forward to working with the staff and Commissioners in the near future.

There being no further business to come before the Authority, Commissioner Erdos moved to adjourn the meeting. The motion was seconded by Commissioner Badri, and was unanimously ordered approved by a voice vote. The meeting was adjourned at 7:04 pm.

Respectfully submitted,

Joseph C. Bodek
Clerk

John Kulish
Chairman

James Kennedy
Secretary