



# ***UNION COUNTY UTILITIES AUTHORITY***

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## **Union County Utilities Authority December 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 Eastman and Erdos. Commissioner Badri arrived at 6:37 pm. Also present were alternate Commissioners Jorn and Lombardo.

Commissioners Absent: Secretary Kennedy and Commissioners Huff and Kahn.

Others Present: Daniel Sullivan and Tom Brennan of the Authority's staff; Jonathan Williams of DeCotiis, Fitzpatrick, and Cole; Kraig Dowd and Guido Weber of Weber Dowd Law; Freeholder Liaison Chris Hudak; Rich Bauch of Bauch Zucker Hatfield; Ed Trainia of CME; and Clerk Joseph C. Bodek.

Chairman Kulish led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Chairman Kulish designated Alternate Commissioner Jorn to act for Commissioner Kennedy and Alternate Commissioner Lombardo for Commissioner Huff.

### Approval of Minutes

Commissioner Jackus moved the resolution approving the public and executive session minutes of November 9, 2011, November 22, 2011 and December 1, 2011. The motion was seconded by Commissioner People and was approved by a voice vote, with all voting in favor except Commissioner People who abstained on the minutes of November 22, 2011 and Commissioner Erdos who abstained on the minutes of December 1, 2011.

### Communications

There were no communications.

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## Report of Officers

There were no reports from the officers.

## Reports of Committees, Staff & Counsel – Public Session I

### Finance and Budget

Commissioner Erdos reported that the Finance and Budget Committee had met and reviewed the bill list, Professional Authorizations and the resolution directing payment of funds to Union County. The Committee recommended approval of these resolutions. Commissioner Erdos moved the following resolutions: 1) Approving operating and resource recovery facility vouchers for processing and payment; 2) Approving consulting and legal vouchers for processing and payments; 3) Increasing the CAP for DeCotiis Fitzpatrick and Cole in their existing professional services contract; and 4) Directing payment of funds to the County of Union pursuant to N.J.S.A. 40A:5A-12.1. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

### Personnel/Procurement/Insurance

There was no report.

### Operations

There was no report.

### Solid Waste & Recycling

There was no report.

## New Business

There were no items of new business.

## Public Comment

Eddie B. Smith, 128 Clark St. Rahway. Mr. Smith stated that he tries to make every meeting and has a few comments. He noted that this year is different as we are entering into a new long term agreement. He noted a letter sent to the Rahway City Council from a Mr. Bruce Paterson, about a month ago. Mr. Paterson had questioned the facility existing beyond 2013. Mr. Smith disagreed with that statement. Mr. Paterson's letter had also questioned the qualification of the Authority's Executive Director. Mr. Smith also disagreed with that statement, saying that he was glad that Mr. Sullivan was here, and explained his reasons why. He noted that Mr. Sullivan brought something very valuable to this position and wished him the best.

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Reports 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*

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

- 1) Project Team Updates – Contracts.*
- 2) PMUA –Contracts*
- 3) Rahway Host Agreement*
- 4) Collective Bargaining Agreement - Personnel*

*Whereas, minutes will be kept of the executive session and once the matter(s) above no longer require 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.*

The motion for executive session was moved by Commissioner Badri. It was seconded by Commissioner Jorn and unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:38 pm.

Commissioner Badri moved to return to public session. The motion was seconded by Commissioner Jorn and was unanimously ordered approved by a roll call vote. The Authority returned to public session at 7:12 pm.

Commissioner Eastman returned to the meeting.

Reports of Committees, Staff & Counsel – Public Session II

Commissioner Erdos moved the resolution approving a collective bargaining agreement for the period of January 1, 2011 through December 31, 2013. The motion was seconded by Commissioner Jackus and was unanimously approved by a roll call vote.

Commissioner Badri moved the resolution authorizing the execution of an agreement with the City of Rahway relative to the parties Host Community Agreement. The motion was seconded by Commissioner Jorn and was approved by a roll call vote, with all voting in favor except Commissioner Eastman who abstained.

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Unfinished/Old Business

There were no items of Unfinished/Old Business.

Public Comments by Commissioners/Freeholder Liaison Chris Hudak

There were no comments.

There being no further business to come before the Authority, Commissioner Erdos moved to adjourn the meeting. The motion was seconded by Commissioner Jackus, and was unanimously ordered approved by a voice vote. The meeting was adjourned at 7:15 pm.

Respectfully submitted,

Joseph C. Bodek  
Clerk

John Kulish  
Chairman

James Kennedy  
Secretary