



UNION COUNTY UTILITIES AUTHORITY

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Union County Utilities Authority February 9, 2011 Reorganization Meeting

General Counsel Kraig Dowd called the meeting to order at 6:36 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: Commissioners Badri, Erdos, Huff, Jackus, People, and Rachlin. Also present was alternate Commissioner Lombardo.

Commissioners Absent: Commissioner Kennedy, Kahn and Kulish. Also absent was alternate Commissioner Jorn.

Others Present: Sunil Garg; Thomas Brennan; Jeff Hummel; William Neafsey; and Denise Santiago of the Authority's staff; Ed Trainia of CME; Jonathon Williams and Gina Bilangi (7:03 pm) of DeCotiis, Fitzpatrick, and Cole; Dennis Enright of NW Financial; Kraig Dowd and Guido Weber of Weber Dowd Law; Freeholder Liaison Daniel Sullivan; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Mr. Dowd appointed Alternate Commissioner Lombardo to act for Commissioner Kahn.

Mr. Dowd led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Election of Officers

Mr. Dowd opened the floor for nominations for the office of Chairperson of the Authority. Commissioner Jackus nominated Commissioner Kulish for Chairperson. The motion was seconded by Commissioner Badri. There were no other nominations. Commissioner Kulish was unanimously elected Chairperson by a roll call vote.

Mr. Dowd called for nominations for the office of Vice-Chairperson of the Authority. Commissioner Badri nominated Commissioner Jackus for Vice-Chairperson. The motion was seconded by Commissioner Erdos. There were no other nominations. Commissioner Jackus was unanimously elected Vice-Chairperson by a roll call vote. Commissioner Jackus assumed the Chair.

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Vice-Chairman Jackus called for nominations for the office of Treasurer of the Authority. He then nominated Commissioner People. The motion was seconded by Commissioner Erdos. There were no other nominations. Commissioner People was unanimously elected Treasurer by a roll call vote.

Vice-Chairman Jackus called for nominations for the office of Secretary of the Authority. He then nominated Commissioner Kennedy. The motion was seconded by Commissioner Badri. There were no other nominations. Commissioner Kennedy was unanimously elected Secretary by a roll call vote.

Appointment of Committees

Vice-Chairman Jackus stated that since Chairman Kulish was not present this evening, he would recommend holding the confirmation of committee appointments made by the chairperson till the March meeting. Commissioner Lombardo moved to table the resolution confirming the committee appointments made by the Chairperson. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by a roll call vote.

Report of Officers - There were no reports from the Officers.

Report of Committees, Staff & Counsel – Public Session I

Finance and Budget

Commissioner People reported that the Finance and Budget Committee had met and recommended approval of the payment of the bills. Commissioner Jackus 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 payment; and 3) Designating certain financial institutions as official depositories for the monies of the Authority in accordance with N.J.S.A. 40A:5-14 for the year 2011. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by a roll call vote.

Communications

Mr. Bodek read a thank you note from the Brennan family acknowledging the condolences sent by the Commissioners and staff upon the passing of their mother.

Personnel/Procurement/Insurance

Commissioner Erdos noted that the Personnel/Procurement/Insurance Committee had met and recommended the approval of a resolution qualifying certain firms to provide various services to the Authority pursuant to a request for Qualifications process. Commissioner Erdos

then moved the resolution adopting a list of firms qualified to perform various services to the Authority

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pursuant to a request for qualifications process. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Commissioner Erdos noted that the Personnel/Procurement/Insurance Committee had met and recommended approval of the following resolutions: 1) Appointing and reappointing certain professionals and consultants to the Authority; 2) Appointing Kraig M. Dowd, Esq., of the firm Weber Dowd Law, LLC as General Counsel; 3) Reappointing Joseph C. Bodek as qualified Purchasing Agent; and 4) Reappointing Thomas Brennan as the Affirmative Action and Public Agency Compliance Officer for the Authority. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Public Information

Commissioner Jackus moved the following resolutions: 1) Establishing a meeting schedule for the period March 2011 through the Authority's reorganization meeting in February 2012; and 2) Designating the official newspaper for the Authority as the Union County Local Source and authorizing the use of the Home News Tribune, the Star Ledger and LaVoz as supplemental newspapers. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Policy, Ethics & Bylaws

Commissioner Erdos moved the resolution authorizing the re-adoption of the bylaws of the Authority. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Operations:

Mr. Hummel reported that there were 222 solid waste flow inspections/investigations conducted during the month of January 2011 (186 type 13 and 36 type 10). He noted that a majority of the cases instituted during the month of December are presently active and still undergoing the inspectional process.

Ms. Santiago had no report on enforcement and settlements.

Dr. Garg informed the Commissioners that he had begun a monthly report. The report compared waste collected in 2010 to 2011, for the month. The report showed the year to date Type 10 Contract & Program Waste Deliveries and the year to date Type 13/13C/27 Waste

Deliveries. He reviewed the report with the Commissioners. He noted an area of concern was the Type 13 waste which is running at 50% of the amount from 2010.

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Solid Waste and Recycling

Commissioner People reported that the Solid Waste and Recycling Committee had met and was recommending an amendment to the solid waste management plan to include Full Circle Manufacturing Group, Inc. Commissioner People then moved the resolution recommending an amendment to the Union County District Solid Waste Management Plan to include full Circle Manufacturing Group, Inc. as a class D recycling center located in Elizabeth, New Jersey. The motion was seconded by Commissioner Badri and was approved by a roll call vote, with all voting in favor except Commissioner Jackus who abstained. Vice-Chairman Jackus noted the presence of representatives of Full Circle, and asked if any of the commissioners had any questions. There were none.

New Business

There was no new business.

Public Comment

There was no public comment.

Report of Committees, Staff & Counsel – Executive Session I

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) Contracts – Covanta project team update.

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

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

Commissioner Erdos moved the resolution for executive session. The motion was seconded by Commissioner Lombardo and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:50 p.m. Dr. Garg excused himself from the executive session during the reading of the resolution for executive session.

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Upon motion of Commissioner Lombardo, seconded by Commissioner Badri, and unanimously ordered approved by a roll call vote, the Authority reconvened into public session at 7:03 p.m. (Dr. Garg was absent.

Report of Committees Staff & Counsel – Public Session II

Unfinished Business - There were no reports.

Public Comments by Commissioners/Freeholder Liaison Daniel Sullivan – There were no comments.

Commissioner Rachlin noted that tonight was his last meeting, as a member of the Authority and that it was a pleasure to serve with this group, who are true professionals. He wishes all the best.

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 roll call vote. The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Joseph C. Bodek
Clerk

John Kulish
Chairman

James Kennedy
Secretary