



# **UNION COUNTY UTILITIES AUTHORITY**

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## **Union County Utilities Authority July 21, 2010 Regular Public Meeting**

Chairman Kulish called the meeting to order at 6:35 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, Secretary Rachlin, Commissioners Badri, Erdos, Huff, Kahn, and Kennedy. Also present were alternate Commissioner Lombardo. Alternate Commissioner Jorn arrived at 7:00 p.m.

Commissioners Absent: Treasurer People.

Others Present: Dr. Sunil Garg; Jeff Hummel and Denise Santiago of the Authority's staff; Tim Gillen of CME; Jonathon Williams and Gina Bilangi of DeCotiis, Fitzpatrick and Cole; Kraig Dowd of Weber Dowd Law; Dennis Enright of NW Financial; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Chairman Kulish appointed Alternate Commissioner Lombardo to act for Commissioner People.

Chairman Kulish led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

### **MINUTES**

Commissioner Kahn moved the resolution approving the regular session and executive session minutes of the regular meeting of June 16, 2010 and the regular session and executive session minutes of the July 7, 2010 special meeting. The motion was seconded by Commissioner Badri and was ordered approved by a voice vote.

### **COMMUNICATIONS**

Mr. Bodek that a letter had been received from the Plainfield Municipal Utilities Authority requesting that the Authority support their Environmental Fair.

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## **REPORT OF OFFICERS**

There were no reports from the Officers.

## **REPORT OF COMMITTEES, STAFF & COUNSEL – PUBLIC SESSION I**

### **Finance and Budget**

Commissioner Jackus reported that the Finance and Budget Committee had met and recommended approval of the payment of the bills. Commissioner Badri moved the following resolutions: 1) 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 Erdos and was unanimously ordered approved by a roll call vote.

### **Personnel/Procurement/Insurance**

There was no report.

### **Operations:**

Mr. Hummel reported that there were 435 solid waste flow inspections/investigations during the month of June 2010 (378 type 13 and 57 type 10). He noted that a majority of the cases instituted during the month of June are presently active and still undergoing the inspectional process.

Ms. Santiago reported that the quarterly report had been submitted to the County. The report noted that waste flow penalties of \$24,070.00 had been collected. 1200 container inspections and seven NOV were issued by the Division director. She also informed everyone that the DEP had approved, today, the shared services agreement between the Authority and the County.

### **Solid Waste and Recycling**

There was no report.

### **New Business**

There was no report.

### **Public Comment**

The Clerk read the rules under which public comment would be permitted.

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Fabio Arino from ANS Sanitation. Mr. Arino repeated a request that he had made at other times that a hauler be on the Board, as an unpaid member. He noted that Covanta had instituted a repair to the floor area that resulted in three and four hour delays for haulers waiting to tip during the time repairs were taking place. He offered his suggestions on how to better handle it. Next Arino stated his belief that the Plainfield Municipal Utilities Authority (PMUA) owe the haulers of Union County an apology for a statement they had made in the paper that he believed to be libelous. He asked that, that while the UCUA was not part of the PMUA, they should be made to apology. He made various accusations against the how the PMUA operates.

Mr. Arino stated that the real reason and some of his fellow haulers were here tonight was to celebrate the seventh anniversary of waste flow in Union County. To mark the occasion he presented the Commissioners with a cake. The cake read "July 21, 2010 Seven years of Waste Flow – BRI Pennsylvania." He also stated that the cake represents seven years of "wasted flow". He urged the Commissioners and Dr. Garg to strictly enforce waste flow fairly.

Jerry Infantino of Infantino Disposal commented on an article that Dr. Garg had done regarding waste flow as an economic indicator. He disputed some of Dr. Garg's facts, stating that the recent increase in waste flow was due to the amount of water in the garbage. He attributed the water to the economic upturn that Dr. Garg had spoken about in the article.

There were no other members of the public wishing to speak.

Chairman Kulish thanked the two individuals for their comments and stated that the Authority would take them under consideration.

## **REPORTS OF COMMITTEES, STAFF & COUNSEL – EXECUTIVE SESSION**

Mr. Bodek read the following statement:

*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 Updates.*

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

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*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 Huff and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:52 p.m.

Alternate Commissioner Jorn arrived during the executive session (7:00 p.m.)

Commissioner Erdos moved to return to public session. The motion was seconded by Commissioner Lombardo and was unanimously ordered approved by a roll call vote. The Authority returned to public session at 7:25 p.m.

## **REPORT OF COMMITTEES STAFF & COUNSEL – PUBLIC SESSION II**

Commissioner Badri moved the resolution approving and authorizing the execution of a memorandum of understanding by and among the Authority, the County and Covanta Union, Inc. The motion was seconded by Commissioner Huff and was unanimously ordered approved by a roll call vote.

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **PUBLIC COMMENTS BY COMMISSIONERS/FREEHOLDER LIAISON**

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 Badri and was unanimously ordered approved by a voice vote. The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Joseph C. Bodek  
Clerk

John Kulish  
Chairman

Robert Rachlin  
Secretary