



# **UNION COUNTY UTILITIES AUTHORITY**

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## **Union County Utilities Authority January 21, 2009 Regular Public Meeting**

Chairman Kahn called the meeting to order at 6:43 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 Kahn, Vice-Chairman Kulish, Treasurer People, Secretary Wolf, and Commissioners Badri. Also present was Alternate Commissioners Jorn and Lombardo.

Commissioners Absent: Commissioner Erdos, Huff, Jackus and Kennedy.

Others Present: Dr. Garg, Bill Neafsey, Jeff Hummel, Tom Brennan and Ms. Santiago of the Authority's staff; Ed Trainia of CME; Kraig Dowd of Weber Dowd Law; Gina Bilangi of DeCotiis Fitzpatrick, Cole and Wisler; Freeholders Holmes; Deputy Clerk Lisa Miskiewicz; and Clerk Joseph C. Bodek.

Chairman Kahn led the Pledge of Allegiance.

Mr. Bodek provided proof of notice of the meeting.

Chairman Kahn appointed Alternate Commissioner Jorn to act for Commissioner Erdos and Alternate Commissioner Lombardo to act for Commissioner Huff.

### Minutes

Commissioner Badri moved the resolution approving the regular session and executive session minutes of the regular public meeting of December 17, 2008 and the Special (Annual) Meeting of December 17, 2008. The motion was seconded by Commissioner People and approved unanimously by a roll call vote.

### Communications

Mr. Bodek read a thank you from former Alternate Commissioner Carolyn Vollero, for the expression of sympathy set upon the death of her husband, former Commissioner Al Vollero.

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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 Kulish reported that the Finance and Budget Committee had met and recommended approval of the bill list. Commissioner Badri then 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 Kulish and approved unanimously by a roll call vote.

### Personnel/Procurement/Insurance

There was no report.

### Operations:

Mr. Hummel advised the Commissioners that there were 250 solid waste flow inspections/investigations conducted during the month of November, 2008 (209 Type 13, 41 Type 10). He noted other actions that the compliance staff had taken including the following:

1. A detailed analysis of the records submitted to the NJDEP by South Plainfield Transfer was conducted for the months of July through December 2005. As a result of multiple waste flow discrepancies written correspondence was initiated by the Executive Director to South Plainfield Transfer requesting clarification.
2. An investigation is focused on Horwith Trucking, Inc. regarding the Transportation of Union County Waste(s) out of state.
3. An analysis of waste transported from Conoco-Phillips by Horwith Trucking, Inc., to the Greentree Landfill in Kersey, PA was conducted pursuant to ongoing settlement discussions with Conoco-Phillips.

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Ms. Santiago informed the Commissioners that for the month of December Waste Flow Activities were as follow:

- 1) Enforcement Settlements –
  - a. Executed Settlement Agreement and Releases in the amount of \$5,250.00
- 2) Penalties Collected –
  - a. Waste Flow Fines - \$4,433.87
  - b. EQEF- \$8,000
  - c. Total - \$12,433.87

#### Solid Waste & Recycling

There was no report.

#### New Business

There were no items of new business.

#### Public Comment

There were no members of the Public present.

#### Report of Committees, Staff & Counsel – Executive Session

Commissioner Badri moved to go into executive session. The motion was seconded by Commissioner Kulish. The motion to go into executive session was unanimously approved by a roll call vote.

Mr. Bodek read the following statement:

In accordance with the Open Public Meeting Act, in the State of New Jersey, the Authority is entering into executive session to discuss items concerning contracts, litigation and/or personnel. The Authority may take official action on items discussed in executive session once the Authority returns to public session.

The Authority convened into executive session at 6:55 pm.

Upon motion of Commissioner Badri, seconded by Commissioner People, and approved unanimously by a roll call vote, The Authority returned to public session at 7:12 p.m.

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Report of Committees Staff & Counsel – Public Session II

Mr. Dowd noted that the resolution hiring an academic intern, was changed during discussions in executive session. The change was in the language regarding the rate of pay. It was changed, to read, from a “rate of \$20.00 per hour” to read a “rate of up to \$20.00 per hour.” Commissioner Badri moved the resolution, as changed, approving the hiring of an academic intern. The motion was seconded by Commissioner Lombardo, and unanimously ordered approved.

Unfinished Business

There were no items of unfinished business.

Commissioners/Freeholder Liaison Chester Holmes

There were no comments.

There being no further business to come before the Authority, Commissioner People 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 7:14 p.m.

Respectfully submitted

Joseph C. Bodek  
Clerk

Edward J. Kahn  
Chairman

William Wolf  
Secretary