



UNION COUNTY UTILITIES AUTHORITY

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Union County Utilities Authority March 18, 2009 Regular Public Meeting

Vice-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: Vice-Chairman Kulish, Treasurer People, Commissioners Badri, and Huff. Also present was alternate Commissioners Jorn and Lombardo.

Commissioners Absent: Chairman Kahn, Secretary Wolf, Commissioners Erdos, Jackus, and Kennedy.

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

Vice-Chairman Kulish led the Pledge of Allegiance.

Mr. Bodek provided proof of notice of the meeting.

Vice-Chairman Kulish appointed Commissioner Jorn to act for Commissioner Kahn and Commissioner Lombardo to act for Commissioner Wolf.

Minutes

Commissioner Badri moved the resolution approving the regular session and executive session minutes of the reorganization meeting of February 11, 2009. The motion was seconded by Commissioner People and unanimously 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

Commissioner Badri reported that the Finance and Budget Committee had met and recommended approval of the bill list, and contracts with various professionals. Commissioner People moved the following

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resolutions: 1) Approving operating and resource recovery facility vouchers for processing and payment; and 2) Approving consulting and legal vouchers for processing and payment; and 3) Authorizing the execution of contracts with previously appointed and reappointed professionals and consultants to the Authority. The motion was seconded by Commissioner Huff and approved unanimously by a roll call vote.

Personnel/Procurement/Insurance:

Commissioner Badri moved the resolution authorizing the execution of an employment contract with Sunil K. Garg, PhD., Esq., for the position of Executive Director of the Authority. The motion was seconded by Commissioner Huff and unanimously approved by a roll call vote.

Operations:

Mr. Hummel advised the Commissioners that there were 383 solid waste flow inspections/investigations conducted during the month of February 2009 (282 Type 13, 101 Type 10). He explained that a majority of cases instituted during the month of February are presently active and still undergoing the inspection process. He noted that the compliance staff had taken the following enforcement action:

1. Pursuant to a meeting on February 4, 2009 with representatives from South Plainfield Transfer & Recycling Corporation, documentation was received concerning SPTR recycling rates for type 13 Union County debris accepted from June 2005 through July 2006. An analysis was conducted revealing inconsistencies and inaccurate reporting of the disposal of residual waste.
2. The Cardella settlement is under review.
3. The Conoco-Phillips settlement is under review.
4. A complaint is being drawn up against Eagle Recycling.
5. Revised data from Horwith Trucking, Inc., has been received and under review.
6. A meeting was held at the UCUA with the UCOHM and the NJDEP in reference to the annual CEHA audit. The Authority proposed several concerns to the NJDEP including access to hauler out of state transportation reports, accuracy of the MRF's monthly reports submitted to the NJDEP, the lack of communication by the NJDEP regarding UCUA NOV submittals and several other issues relevant to the Authority's enforcement program. A meeting is scheduled at NJDEP headquarters on April 7, 2009 to address these issues.

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 Huff. The motion to go into executive session was unanimously approved by a roll call vote.

Mr. Bodek read the following statement:

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“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 6:35 pm.

Upon motion of Commissioner Badri, seconded by Commissioner Jorn, and approved unanimously by a roll call vote, the Authority returned to public session at 6:43 p.m.

Report of Committees Staff & Counsel – Public Session II

Commissioner Badri moved the resolution approving and authorizing the execution of a successor agreement with ConocoPhillips Company providing for (1) the settlement and payment of outstanding rate component monies, (2) mutual releases; and (3) The disposal of ID Type 27 Solid Waste, generated by ConocoPhillips Company, at an alternate disposal facility consistent with the Union County District Solid Waste Management Plan. The motion was seconded by Commissioner Huff and unanimously approved by a roll call vote.

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 Badri moved to adjourn the meeting. The motion was seconded by Commissioner Huff, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 6:45 p.m.

Respectfully submitted

Joseph C. Bodek
Clerk

Edward J. Kahn
Chairman

Secretary