



UNION COUNTY UTILITIES AUTHORITY

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Union County Utilities Authority October 21, 2009 Regular Public Meeting

Acting Secretary Kennedy 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: Treasurer People, Acting Secretary Kennedy, Commissioners Badri, Erdos, Huff, Jackus, and Rachlin. Also present was alternate Commissioner Lombardo.

Commissioners Absent: Chairman Kahn, Vice-Chairman Kulish, and Alternate Commissioner Jorn.

Others Present: Dr. Garg; Thomas Brennan; William Neafsey; Denise Santiago of the Authority's staff; Ed Trainia of CME; Gina Bilangi of DeCotiis, Fitzpatrick, Cole and Wisler; Kraig Dowd of Weber Dowd Law; Isabella Schroder of Malcolm Pirnie; Raymond Miskiewicz of Three North Productions; Penny Paul of Winning Strategies; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Acting Secretary Kennedy led the Pledge of Allegiance.

Acting Secretary Kennedy appointed alternate Commissioner Lombardo to act for Commissioner Kulish.

Mr. Bodek provided **Proof of Notice** of the meeting.

Minutes

Commissioner Erdos moved the resolution approving the regular session and executive session minutes of the regular meeting of September 16, 2009. The motion was seconded by Commissioner Lombardo and was ordered approved by a roll call vote, with all voting in favor except Commissioner Badri, who abstained.

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 Jackus reported that the Finance and Budget Committee had met and recommended approval of the payment of the bills, and increasing the Caps for Weber Dowd Law and 3 North Productions, LLC. 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) Increasing the caps for Weber Dowd Law, LLC., and 3 North Productions, LLC in their existing professional services contracts. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Personnel/Procurement/Insurance

Commissioner Erdos reported that the Personnel/Procurement and Insurance Committee had met and recommended approval of Resolution 60-2009. Commissioner People said that he would like to discuss Resolution 60-2009, further. He moved to table it, for discussion in executive session. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by a voice vote.

Operations:

Mr. Neafsey reported that there were 411 solid waste flow inspections/investigations during the month of September 2009 (363 type 13 and 48 type 10). He noted that a majority of the cases instituted during the month of September are presently active and still undergoing the inspectional process.

Ms. Santiago reported that there were various waste flow cases heard in superior court during the month of September. There should be several settlement agreements ready in the next month for approval. During the month of September \$7,500.00 had been collected in fines and a check for \$70,000.00 was turned over, from the County, for waste flow violations they processed.

Solid Waste and Recycling

There was no report.

New Business

Dr. Garg explained that the Authority would, for the first time, have an exhibit at the League of Municipalities Convention in Atlantic City. In order to explain and showcase the work done by the Authority, a video was produced by Winning Strategies and 3North Productions. He introduced Penny Paul of Winning Strategies and Raymond Miskiewicz of 3 North Productions, and spoke about the high quality of their work and of the video they produced. He noted that Lisa Miskiewicz, Bill Neafsey, himself and Commissioner Kennedy all contributed to the production of the video. The video was then previewed for the Commissioners.

Public Comment

There were no members of the public wishing to speak.

Report of Committees, Staff & Counsel – Executive Session I

Mr. Bodek read the following motion:

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits the exclusion of the public from meetings 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*
 - a. *Solid Waste Disposal Agreement*
 - b. *Rahway Host Community Agreement*
- 2) *Personnel*
 - a. *Secretary/Senior Account Clerk position*

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

NOW THEREFORE BE IT RESOLVED by the Union County Utilities Authority's Board of Commissioners that the public be excluded from this meeting.

Commissioner Badri moved the above resolution. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by a roll call vote.

Mr. Bodek reminded the public that the Authority may take official action on items discussed in executive session once the Authority returns to public session.

The Authority entered into executive session at 6:53 p.m.

Upon motion of Commissioner Erdos, seconded by Commissioner Badri, and unanimously ordered approved by a roll call vote, with Commissioners Kennedy and Rachlin absent from the room the Authority returned to public session at 7:37 p.m.

Commissioner Kennedy and Rachlin returned to the room.

Report of Committees Staff & Counsel – Public Session II

UCUA
Reg. Mtg. 10/21/09

Commissioner Badri moved the resolution authorizing a payment to the City of Rahway in consideration of and for certain concessions regarding the parties' host community agreement. The motion was seconded by Commissioner People and was ordered approved, with all voting yes except Commissioners Kennedy and Rachlin whom abstained.

Commissioner Badri moved the resolution appointing Suzanne Kinloch to the position of Secretary/Senior Account Clerk. The motion was seconded by Commissioner Erdos and was ordered approved with all voting in favor, except Commissioner People, who abstained.

Unfinished Business

There were no items of unfinished business.

Public Comments by 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 Lombardo and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Joseph C. Bodek
Clerk

Edward Kahn
Chairman

James Kennedy
Acting Secretary