



UNION COUNTY UTILITIES AUTHORITY

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Union County Utilities Authority
December 16, 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, Acting Secretary Kennedy, Commissioners Badri, Erdos, Huff, Jackus, and Rachlin. Also present was Alternate Commissioner Lombardo. Alternate Commissioner Jorn arrived at 6:35 p.m.

Commissioners Absent: Chairman Kahn

Others Present: Dr. Garg; Jeff Hummel; William Neafsey; Denise Santiago and Thomas Brennan of the Authority's staff; Ed Trainia of CME; Jonathon Williams of DeCotiis, Fitzpatrick, Cole and Wisler; Kraig Dowd of Weber Dowd Law; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Vice-Chairman Kulish led the Pledge of Allegiance.

Vice-Chairman Kulish appointed alternate Commissioner Lombardo to act for Commissioner Kahn.

Mr. Bodek provided Proof of Notice of the meeting.

Minutes

Commissioner Badri moved the resolution approving the regular session and executive session minutes of the regular meeting of November 24, 2009. The motion was seconded by Commissioner Lombardo and was ordered approved by a roll call vote, with all voting in favor except for Commissioners Erdos, Huff, Jackus, Kennedy and People, who abstained.

Communications

Mr. Bodek read a letter from the Rahway Local Organizing Committee, PO Box 623, Rahway, NJ 07065. The Committee is looking for funds to support their Rites of Passage Program, which they are running within the Rahway Public Schools.

Report of Officers

There were no reports from the Officers.

Report of Committees, Staff & Counsel – Public Session I

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Finance and Budget

Commissioner Jackus reported that the Finance and Budget Committee had met and recommended approval of the payment of the bills, and final adoption of the 2010 budget. Commissioner Badri 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) Authorizing the adoption of the annual budget for the fiscal year January 1, 2010 to December 31, 2010. The motion was seconded by Commissioner Kennedy and was unanimously ordered approved by a roll call vote.

Personnel/Procurement/Insurance

There was no report.

Operations:

Mr. Hummel reported that there were 257 solid waste flow inspections/investigations during the month of October 2009 (230 type 13 and 27 type 10). He noted that a majority of the cases instituted during the month of November are presently active and still undergoing the inspectional process.

Solid Waste and Recycling

Ms. Santiago reported that the City of Summit had sent a letter asking that the Union County Solid Waste Management Plan be revised to reflect the updated block and lot designation upon which their solid waste transfer station facility sits. Commissioner Erdos moved the resolution recommending, by Administrative Action, an amendment to the Union County District Solid Waste Management Plan pertaining to the transfer station operated by the City of Summit. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

New Business

There was no new business.

Public Comment

There were no members of the public wishing to speak.

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 – Discussions regarding the County's request for a status report on the facility.*

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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 Badri moved the above resolution. The motion was seconded by Commissioner Lombardo and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:38 p.m.

Upon motion of Commissioner Badri, seconded by Commissioner Erdos, and unanimously ordered approved by a roll call vote, the Authority reconvened into public session at 6:45 p.m.

Unfinished Business

Dr. Garg noted that at the last meeting the Authority agreed to release a certain amount of money to the City of Rahway for prior host community benefits. The payments were contingent upon the Rahway and the Authority entering into an agreement. Dr. Garg reported that the City and the Authority has entered into such an agreement. He didn't believe a resolution was needed. Mr. Dowd thought that Authority, at some point, should memorialize the actions. Dr. Garg noted that in order for Rahway to use the money, in their budget, the money has to be committed to them before the end of the year. He explained why. Mr. Dowd stated that the existing resolution authorizes the agreement. There was a discussion on what was necessary for the New Jersey Department of Community Affairs to allow Rahway to use these funds in their budget. After additional discussion it was determined that Dr. Garg and Mr. Dowd would discuss the matter further, and consult with Rahway, and then make a recommendation to the Authority.

Public Comments by Commissioners/Freeholder Liaison Chester Holmes.

Vice-Chairman Kulish wished all a Merry Christmas and a happy New Year.

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 6:51 p.m.

Respectfully submitted,

Joseph C. Bodek
Clerk

Edward Kahn
Chairman

James Kennedy
Acting Secretary