



UNION COUNTY UTILITIES AUTHORITY

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Union County Utilities Authority April 20, 2011 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, Treasurer People, Commissioners Badri, Eastman. Also present were alternate Commissioner Jorn and Lombardo.

Commissioners Absent: Secretary Kennedy, Vice-Chairman Jackus and Commissioners Huff. Commissioners Erdos, Huff and Kahn were excused.

Others Present: Dr. Sunil Garg, Thomas Brennan, and Denise Santiago of the Authority's staff; Ed Trainia of CME; Jonathan Williams and Gina Bilangi (6:53 pm) of DeCotiis, Fitzpatrick, and Cole; Kraig Dowd of Weber Dowd Law; Dennis Enright of NW Financial; Freeholder Liaison Dan Sullivan; Deputy Clerk Lisa M. Miskiewicz and Clerk Joseph C. Bodek.

Chairman Kulish led the Pledge of Allegiance.

Chairman Kulish designed alternate Commissioner Jorn to act for Commissioner Kahn and alternate Commissioner Lombardo for Commissioner Kennedy.

Mr. Bodek provided Proof of Notice of the meeting.

Commissioner Eastman moved the resolution approving the regular session and executive session minutes of the regular meeting of March 16, 2011. The motion was seconded by Commissioner People and was unanimously ordered approved by a voice vote.

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

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Commissioner Badri 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 People and was unanimously ordered approved by a roll call vote.

Personnel/Procurement/Insurance

There was no report.

Operations:

Ms. Santiago reported on the field operations and investigations for the month of March 2011. He noted that there were 406 Solid Waste investigations, 263 Type 13 and 143 Type 10. She noted that a majority of the cases instituted during the month of March are presently active and still undergoing the inspectional process.

Ms. Santiago noted that the quarterly report, for the CEHA Agency has been submitted. She noted that, for the first quarter, there were 928 container inspections, ten grace periods were issued, and four complied. The Authority is waiting for the County to issue the non-waste flow violations. She spoke about resolution #24-2011 passed, which allowed for type 27 waste, generated by Bourne Chemical. As a result the Authority received a check in the amount \$64,713.00 for the tonnage component. There is still some ongoing work being done at that facility. Ms. Santiago informed the Commissioners that there is a SWAC meeting on April 27th and invited the Commissioners to attend. She noted that they will be electing officers.

Solid Waste and Recycling

Dr. Garg informed the Commissioners that the plant has been undergoing a major shut down, during the last three weeks. He noted that this is the first time in seven years that the turbine has been opened and re-inspected, as a result no electricity has been generated. The plant will be coming back up this weekend. He spoke about the inspection of the turbine and that it is in very good shape. He also talked about the work that has to be done to shut the plant down and bring it back up.

New Business

There was no new business.

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Public Comment

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

Fabio, from A&S Sanitation spoke. Fabio stated that he has noticed that there has been an increase in the tagging of type 10 trucks, adding that he doesn't know the reason why, but speculated as to the reason. He noted the problems with system that the Authority was using and what other haulers were doing to avoid bringing waste to this facility.

Anthony from Galluzzo Brothers. Anthony noted that he has been doing a lot of business in Union County for a long time. He spoke about the hours that other haulers were working, which were not the same as the inspectors were working. He asked the Commissioners to look at the companies that were working in Union County and the number of trucks that they have and compare this to the number of loads, being brought to the facility, per day. He urged the Authority to place an inspector at each of the companies operating MRF's, to check their scales. He added other counties, like Hudson, are doing so.

Jerry Infantino of Infantino Disposal Company. Mr. Infantino noted the towns that his company does business in. He spoke about the practices of one of the other companies and how it was impacting on his business.

Chairman Kulish informed the three individuals that their comments are being taken seriously. He stated that there is no doubt that the Authority is losing tonnage, and things have to change. Anthony asked why it took so long for this to get fixed. Chairman Kulish noted that it will be dealt with. Anthony also spoke about all the companies that had MRF licenses. He asked if there was type 10 waste flow. Ms. Santiago responded that there is. There was a discussion about the type 10 investigations.

Dr. Garg explained the efforts to track Union County Waste that is going to the Essex County facility, which is also being run by Covanta. He also addressed the issues of the inspections, and how and when they are done.

Anthony spoke again about the practices of other haulers in avoiding the system and what they were doing. Mr. Infantino spoke about the use of tractor trailers to take the waste out of County.

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Reports of Committees, Staff & Counsel – Executive Session

Dr. Garg was excused from the meeting (7:03 pm).

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) Appointment of a Financial Advisor and Bond Counsel / contracts*
- 2) 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

Now therefore be it resolved by the Union County Utilities Authority Board of Commissioners that the public be excluded from this meeting.

Commissioner Lombardo moved the resolution for executive session. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 7:03 p.m.

Commissioner Badri moved to return to public session. The motion was seconded by Commissioner Lombardo and was ordered approved by a roll call vote. The Authority returned to public session at 7:14 p.m.

Report of Committees Staff & Counsel – Public Session II

Commissioner Badri moved the resolutions 1) Authorizing the appointment and award of professional services contracts for the provision of certain bond counsel and financial advisor services to the Authority; and 2) Authorizing NW Financial to consult with bond rating agencies in order to obtain an assessment relative to the refinancing of certain existing and issuance of new solid waste bonds by the Authority. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

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Unfinished Business

There was no unfinished business.

Public Comments by Commissioners/Freeholder Liaison Daniel Sullivan

There were no comments.

There being no further business to come before the Authority, Commissioner Jorn moved to adjourn the meeting. The motion was seconded by Chairman Kulish and was unanimously ordered approved by a voice vote. The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Joseph C. Bodek
Clerk

John G. Kulish
Chairman

James Kennedy
Secretary