



# UNION COUNTY UTILITIES AUTHORITY

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## **Union County Utilities Authority August 24, 2011 Special Meeting**

Vice-Chairman Jackus called the meeting to order at 6:05 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 (via phone), Vice-Chairman Jackus, Secretary Kennedy (via phone), Treasurer People, Commissioners Badri, Eastman, Erdos, and Kahn (via phone). Also present was alternate Commissioner Lombardo.

Commissioners Absent: Commissioner Huff. Also absent was alternate Commissioner Jorn.

Others Present: Daniel Sullivan and Thomas Brennan of the Authority's staff; Jonathan Williams of DeCotiis, Fitzpatrick, and Cole; Kraig Dowd of Weber Dowd Law; Dennis Enright of NW Financial; Deputy Clerk Lisa M. Miskiewicz and Clerk Joseph C. Bodek.

Vice-Chairman Jackus led the Pledge of Allegiance.

Vice-Chairman Jackus designated alternate Commissioner Lombardo to act for Commissioner Huff.

Mr. Bodek provided Proof of Notice of the meeting.

### **Public Comment**

The Clerk read the rules under which public comment would be allowed. There were no comments from the public.

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

*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) Matters pertaining to the refinancing of the Authority's Debt - contracts/negotiations*
- 2) Matters pertaining to the issuing of bonds – Attorney Client Privilege*
- 3) Covanta Project Team update – contracts*

*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*

*Whereas, the public is now being informed that the Authority may take official action at the conclusion of the executive session.*

*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 resolution for executive session. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:08 p.m.

Commissioner Lombardo moved to return to public session. The motion was seconded by Commissioner Badri and was ordered approved by a roll call vote. The Authority returned to public session at 6:17 p.m.

#### Report of Committees Staff & Counsel – Public Session II

Commissioner People moved the amended and restated resolution authorizing the issuance of solid waste system bonds of the Union County Utilities Authority. The motion was seconded by Commissioner Jackus and was unanimously ordered approved by a roll call vote.

Commissioner Badri moved the amended and restated resolution authorizing the issuance of Resource Recovery Facility lease revenue bonds of the Union County Utilities Authority. The motion was seconded by Commissioner Jackus and was unanimously ordered approved by a roll call vote.

Mr. Sullivan informed the Commissioners that the scheduling of the McEnroe hearing had to be discussed. (Commissioner Kahn left). He noted that the hearing had to be scheduled for September 12, 2011. The hearing would be called for 7:00 pm and the special meeting would be held in conjunction with that. Mr. Williams explained that the McEnroe hearing could be held by the Authority, and the Freeholders would hold the hearing on the Plan Amendment. He also explained the timing for these meetings.

#### Public Comments by Commissioners/Freeholder Liaison Daniel Sullivan

There were no comments.

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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 voice vote. The meeting was adjourned at 6:22 p.m.

Respectfully submitted,

Joseph C. Bodek  
Clerk

John G. Kulish

James Kennedy

