

UNION COUNTY UTILITIES AUTHORITY

1499 Routes 1 & 9, North, Rahway, New Jersey 07065

(732) 382-9400

FAX (732) 382-5862

Union County Utilities Authority June 17, 2015 Regular Meeting

Chairman Eastman called the meeting to order at 6:33 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 Eastman, Vice-Chairman Erdos, Treasurer People, Secretary Kennedy, Commissioners Badri, Jackus, Kahn, and Scutari. Also present were alternate Commissioner Lombardo.

Commissioners Absent: Commissioner Kulish and Alternate Commissioner Bonanno. The Clerk noted that Commissioner Bonanno was on a vacation celebrating his 50th Wedding Anniversary.

Others Present: Daniel Sullivan and Tom Brennan of the Authority's staff; Kraig Dowd of Weber Dowd Law; Tim Gillen of CME; Jonathan Williams of DeCotiis, Fitzpatrick & Cole; John Wohlrab of Waste Management; Deputy Clerk Lisa da Silva and Clerk Joseph C. Bodek.

Chairman Eastman appointed Alternate Commissioner Lombardo to act for Commissioner Kulish.

Chairman Eastman led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Communications

There were no communications.

Approval of Minutes

Commissioner Erdos moved for the approval of the public and executive sessions minutes of the meetings of May 20, 2015. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

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Report of Officers

There were no reports from the officers.

Report of Committees, Staff & Counsel – Public Session I

Finance and Budget Committee.

Commissioner Jackus reported on the meeting of the Finance and Budget Committee. The Committee met and recommended approval of resolutions approving the payment of bills. Commissioner Badri moved the 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.

Commissioner Jackus spoke about the resolution certifying the annual audit. Commissioner Badri moved the resolution certifying to the Local Finance Board its compliance regarding the annual audit pursuant to N.J.S.A. 40A:5A-17. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

Personnel, Procurement and Insurance Committee

Commissioner Jackus reported on the meeting of the Committee. Commissioner Badri moved the resolution regarding the August 1, 2015 retirement of Gene Davis. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

Solid Waste and Recycling

Mr. Dowd reported on the application the Authority received from Waste Management, and why it is being handled this way. He noted the report of CME regarding this facility. He described the process for handling the material and that representatives of Waste Management were present to answer any questions. Commissioner Badri moved the resolution authorizing an administrative action plan amendment to the Union County District Solid Waste Management Plan pertaining to the application of Waste Management of New Jersey, Inc. for the inclusion of an intermodal container facility in Elizabeth, New Jersey. The motion was seconded by Commissioner Erdos, and was ordered approved with all voting in favor, except Commissioner Kahn, who abstained.

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New Business

Mr. Gillen gave a report on the rebuilding of the boardwalk in the park behind the facility that had been damaged in hurricane Sandy. The project has been completed.

Public Comment

Mr. Wohlrab thanked the Commissioners and staff for their support of Waste Management's project.

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) Covanta Amended and Restated Waste Proposal Agreement – Contracts & Attorney Client Privilege.*
- 2) Settlement Agreement with Scioscia Disposal – Litigation.*

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

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 Lombardo and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:43 pm.

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Commissioner Badri moved to return to public session. The motion was seconded by Commissioner Erdos and was unanimously ordered approved. The Authority returned to public session at 6:57 pm.

Report of Committees Staff & Counsel – Public Session II.

Commissioner Badri moved the resolution authorizing a settlement agreement by and between the Authority and Scioscia Disposal Service Co. The motion was seconded by Commissioner Kahn and was unanimously ordered approved by a roll call vote.

Old/Unfinished Business

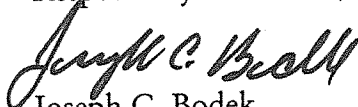
There was no Old/Unfinished Business.

Public Comment by Commissioners/Freeholder Liaison Chris Hudak

There were no comments.

There being no further business to come before the Authority, Commissioner Erdos moved to adjourn the meeting. The motion was seconded by Commissioner Kahn and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 7:02 pm.

Respectfully submitted,


Joseph C. Bodek
Clerk

Roy Eastman
Chairman

James Kennedy
Secretary