



# UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 53-2016

DATE: July 20, 2016

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY RECOMMENDING, BY ADMINISTRATIVE ACTION, AN AMENDMENT TO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO MODIFY THE INCLUSION OF A GENERAL CLASS B RECYCLING FACILITY OWNED AND OPERATED BY TREVCON CONSTRUCTION CO., INC. IN THE CITY OF ELIZABETH TO REFLECT A CHANGE IN FACILITY OPERATIONS**

APPROVED AS TO FORM:

Joseph C. Bodek  
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

YES  NO  NONE REQUIRED  
UNION COUNTY UTILITIES AUTHORITY

By: *Joseph C. Bodek*

By: *Thomas J. Surran*

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Badri</i>	X		X				
<i>Criscione</i>	X		X				
<i>Jackus</i>	X		X				X
<i>Kahn</i>		X					
<i>Kennedy</i>	X		X				
<i>People</i>	X		X				
<i>Scutari</i>	X		X				
<i>Erdo, Vice Chair</i>	X		X			X	
<i>Eastman, Chair</i>	X		X				
<i>Lombardo, Alternate No. 1</i>	X		X				
<i>McManus, Alternate No. 2</i>	X						

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY  
RECOMMENDING, BY ADMINISTRATIVE ACTION, AN AMENDMENT TO THE  
UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO MODIFY  
THE INCLUSION OF A GENERAL CLASS B RECYCLING FACILITY OWNED AND  
OPERATED BY TREVCON CONSTRUCTION CO., INC. IN THE CITY OF  
ELIZABETH TO REFLECT A CHANGE IN FACILITY OPERATIONS

WHEREAS, the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. (“Act”), designated each of the twenty-one (21) counties in the State of New Jersey, and the Hackensack Meadowlands District, as solid waste management districts, and required each such district to adopt a solid waste management plan; and

WHEREAS, the Board of Chosen Freeholders (“Freeholders”) of the County of Union (“County”) has adopted the Union County District Solid Waste Management Plan, as amended from time to time (the “County Plan”); and

WHEREAS, the Union County Utilities Authority (“UCUA”) is a public body corporate and politic of the State of New Jersey, organized pursuant to and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and exercises essential governmental functions for the public health, benefit and welfare of the citizens of the County; and

WHEREAS, the Freeholders have designated the UCUA as the implementing agency for the County Plan charged with implementing and recommending updates and amendments to the aforesaid County Plan from time to time and selected to plan, acquire, construct, maintain and operate facilities for the processing and disposal of County solid waste and/or the recovery of recyclable materials; and

WHEREAS, on prior occasion, pursuant to duly adopted resolution, the Authority recommended that the Freeholders adopt an amendment to the County Plan to include a general Class B recycling facility (“Facility”), located at 2-74 South Front Street, Elizabeth, New Jersey, to be operated by Trevcon Construction Co., Inc. (“Trevcon”); and

WHEREAS, on December 17, 2015, the Freeholders adopted an amendment to the County Plan to include the Trevcon Facility into the County Plan, and the New Jersey Department of Environmental Protection (“NJDEP”) issued a certification of the plan amendment on April 1, 2016; and

WHEREAS, Trevcon filed an application with UCUA on July 8, 2016, requesting a minor modification of the Facility’s inclusion in the County Plan to reflect the change in its operations for the use of a mobile concrete crusher on a sporadic basis; and

WHEREAS, Trevcon has indicated in its application that the addition of a location for the crusher resulted in a minor reconfiguration of the stockpiles as shown on the plans for the Facility, and that no other changes are proposed to Facility operations as previously approved; and

WHEREAS, NJDEP has informed Trevcon that it will be necessary for the County Plan to be amended by administrative action to include the modified operations at the Facility due to the use of the concrete crusher; and

WHEREAS, UCUA has received a report from CME as its consulting engineer, describing the proposed modifications to the Facility, setting forth all engineering issues, and recommending that the modified operations at the Facility be included in the County Plan; and

WHEREAS, the solid waste and recycling regulations of NJDEP (N.J.A.C. 7:26-1.1 et seq.) provide for certain actions to amend a county solid waste management plan may be effectuated through an administrative action process by the agency designated by the County to implement the County Plan; and

WHEREAS, after careful analysis and evaluation of the application, as supplemented, and the review of CME, UCUA wishes to issue an administrative action amendment to the County Plan to include the modified operations at the Facility through the use of a concrete crusher; and

WHEREAS, the approval of Trevcon's application to amend the County Plan to reflect the modified operations at the Facility do not warrant a formal plan amendment process and may be implemented through an administrative action as set forth in N.J.A.C. 7:26-6.11 and is in the best interests of the County and its citizens;

**NOW, THEREFORE, BE IT RESOLVED** by the Union County Utilities Authority, as follows:

**Section 1.** The aforesaid recitals are hereby incorporated by reference, as though set forth at length herein.

**Section 2.** UCUA hereby authorizes, as an administrative action pursuant to N.J.A.C. 7:26-6.11 and consistent with the direction of NJDEP, modifications to the County Plan for the inclusion of the Trevcon, Inc. facility, located in Elizabeth, New Jersey, to reflect modified operations of the Facility through the use of a concrete crusher.

**Section 3.** UCUA hereby authorizes and directs its Executive Director and/or its Special Solid Waste Counsel to submit this Resolution to NJDEP as an administrative action in order to obtain such approvals as may be necessary under law.

**Section 4.** A copy of this Resolution shall be available for public inspection at the offices of the UCUA at 1499 Routes 1 & 9 North, Rahway, New Jersey.

**Section 5.** This Resolution shall take effect immediately.