



# **UNION COUNTY UTILITIES AUTHORITY**

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**Union County Utilities Authority  
April 15, 2015  
Regular Meeting**

Chairman Eastman 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 Eastman, Vice-Chairman Erdos, Treasurer People, Commissioners Badri, Kahn, Kulish, and Scutari. Also present were alternate Commissioners Bonanno and Lombardo. Commissioner Jackus arrived at 6:37 pm.

Commissioners Absent: Secretary Kennedy.

Others Present: Daniel Sullivan and Tom Brennan of the Authority's staff; Kraig Dowd of Weber Dowd Law; Ed Trainia of CME; Johnathan Williams of DeCotiis, Fitzpatrick & Cole; Deputy Clerk Lisa DaSilva and Clerk Joseph C. Bodek.

Chairman Eastman appointed Alternate Commissioner Bonanno to act for Commissioner Kennedy.

Chairman Eastman led the Pledge of Allegiance.

Mr. Sullivan introduced new Commissioner Laura Scutari who was appointed by the Freeholders to replace Commissioner Huff.

Mr. Bodek provided Proof of Notice of the meeting.

## Communications

There were no communications.

## Approval of Minutes

Commissioner Kulish moved for the approval of the public and executive sessions minutes of the meetings of March 18, 2015. The motion was seconded by Commissioner Bonanno and was ordered approved by a roll call vote, with all voting yes, except Commissioners Badri, Kulish, Scutari and Chairman Eastman who abstained.

## Report of Officers

There were no reports from the officers.

## Report of Committees, Staff & Counsel – Public Session I

### Finance and Budget Committee.

Commissioner Kulish reported on the meeting of the Finance and Budget Committee. The Committee met and recommended approval of resolution approving the payment of bills and increasing the cap for Lerch, Vinci & Higgins, LLP. Commissioner Kahn 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 Badri and was unanimously ordered approved by a roll call vote.

Commissioner Kulish moved the resolution increasing the cap for Lerch, Vinci & Higgins, LLP in their existing professional services contract. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

#### Personnel, Procurement and Insurance Committee

Mr. Sullivan explained there was a slight change to the professional services contract with Arcadis U.S., Inc., and noted it. Commissioner Kulish moved the resolution amending the professional services contract between the Authority and Arcadis U.S., Inc. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

#### New Business

Mr. Bodek spoke about the resolution honoring Commissioner Huff. Commissioner Erdos moved the resolution commending the dedicated public service of Commissioner James D. Huff. The motion was seconded by Commissioner Kahn and unanimously ordered approved by a roll call vote.

#### Public Comment

There was no public comment.

#### 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.*

*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 Kulish moved the resolution for executive session. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:43 pm.

Commissioner Erdos moved to return to public session. The motion was seconded by Commissioner Badri, and was unanimously ordered approved by a roll call vote. The Authority reconvened into public session at 7:28 pm.

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

Commissioner Badri moved the resolution authorizing payment to Covanta Union, Inc. of the undisputed amount of the shortfall payment for 2014 pursuant to the amended and restated waste disposal agreement for the operation of the Union County Resource Recovery Facility. The motion was seconded by Commissioner Erdos 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 Badri moved to adjourn the meeting. The motion was seconded by Commissioner Jackus and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 7:30 pm.

Respectfully submitted,

  
Joseph C. Bodek  
Clerk

Roy Eastman  
Chairman

James Kennedy  
Secretary