



# UNION COUNTY UTILITIES AUTHORITY

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## **Union County Utilities Authority September 15, 2010 Regular Public Meeting**

Chairman Kulish called the meeting to order at 6:43 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, Vice-Chairman Jackus, Treasurer People, Secretary Rachlin, Commissioners Badri, Erdos, Huff, Kahn and Kennedy. Also present were alternate Commissioner Jorn.

Commissioners Absent: Alternate Commissioner Lombardo, was excused.

Others Present: Thomas Brennan, Jeff Hummel and Denise Santiago of the Authority's staff; Ed Trainia of CME; Jonathan Williams and Gina Bilangi of DeCotiis, Fitzpatrick, and Cole; Kraig Dowd of Weber Dowd Law; Dennis Enright of NW Financial; Richard Bauch of Bauch, Zucker and Hatfield; Deputy Clerk Lisa Miskiewicz and Clerk Joseph C. Bodek.

Chairman Kulish led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

### **Minutes**

Commissioner Badri moved the resolution approving the regular session and executive session minutes of the regular meeting of August 18, 2010, as corrected. The motion was seconded by Commissioner Rachlin and was ordered approved by a roll call vote, with all voting in favor, except Commissioners Badri and Jackus, who abstained.

### **Communications**

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

Commissioner Jackus reported that the Finance and Budget Committee had met and recommended approval of the payment of the bills. Commissioner Rachlin moved the following resolutions: 1) Approving Operating and Resource Recovery Facility vouchers for Processing and payment; 2) Approving Consulting and Legal vouchers for processing and payment; 3) Certifying to the Local Finance Board the Authority's compliance regarding the Annual Audit pursuant to NJSA 40A:5A-17; and 4) Increasing the cap for NW Financial in their existing professional services contract. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote.

### Personnel/Procurement/Insurance

Commissioner Erdos reported that the Personnel/Procurement/Insurance Committee met earlier and would have a report for executive session.

### Operations:

Mr. Hummel reported of the field operations and investigations for the month of August. He noted that a majority of the cases instituted during the month of August are presently active and still undergoing the inspectional process.

There was no report on enforcement and settlements.

### Solid Waste and Recycling

Mr. Brennan reported that the delivery of type 10 waste has been leveling off. He also reported on the delivery of type 13 waste. He compared the amounts being delivered to historic levels of delivery.

## New Business

Chairman Kulish noted that currently the November meeting is scheduled to be held the week of the League of Municipalities convention. He asked the Commissioners if they would like to move it. After a brief discussion it was decided to move the meeting to November 10, 2010. Commissioner Jackus moved the resolution to amend the annual meeting schedule to change the date of the November meeting to November 10, 2010. The motion was seconded by Commissioner Rachlin and was unanimously ordered approved by a roll call vote.

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### **Public Comment**

There was no public comment

### **Reports 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) *Contracts: Covanta Project Team Updates.*
- 2) *Attorney Client Privilege*

*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 Badri moved the resolution for executive session. The motion was seconded by Commissioner Rachlin and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:53 p.m.

Commissioner Badri moved to return to public session. The motion was seconded by Commissioner Huff and was ordered approved by a roll call vote, with Commissioner Kahn having left during the executive session. The Authority returned to public session at 7:18 p.m.

Chairman Kulish appointed alternate Commissioner Jorn to act for Commissioner Kahn.

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

Commissioner Erdos moved the resolution establishing a process for procuring a financing team in connection with the refunding and issuance of certain solid waste facility bonds of the Authority and any such other Authority bonds related thereto. The motion was seconded by Commissioner Huff 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 Erdos moved to adjourn the meeting. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a voice vote. The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Joseph C. Bodek  
Clerk

John Kulish  
Chairman

Robert Rachlin  
Secretary

