



UNION COUNTY UTILITIES AUTHORITY

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**Union County Utilities Authority
July 18, 2012
Regular Public Meeting**

Secretary Kennedy 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: Treasurer People, Secretary Kennedy, Commissioners Badri, Eastman, Erdos, Huff, and Kulish. Also present was Alternate Commissioner Lombardo. Alternate Commissioner Bonanno arrived at 6:50 p.m.

Commissioners Absent: Chairman Jackus, Vice-Chairman Kahn.
Secretary Kennedy appointed Alternate Commissioner Lombardo to act for Commissioner Kahn.

Others Present: Daniel Sullivan and Tom Brennan of the Authority's staff; Kraig Dowd and Guido Weber of Weber Dowd Law; Freeholder Liaison Chris Hudak; Deputy Clerk Lisa M. DaSilva and Clerk Joseph C. Bodek. Also present was John Wohlrab, James VanWoert of Waste Management and Max Peters of T&M Associates.

Secretary Kennedy led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Approval of Minutes

Commissioner Huff moved for approval of the public and executive session minutes of June 20, 2012. The motion was seconded by Commissioner Kulish and was unanimously ordered approved by a roll call vote.

Communications

There were no communications.

Report of Officers

There were no reports from the officers.

Report of Committees, Staff & Counsel – Public Session I

Finance & Budget

Commissioner Kulish reported that the Finance & Budget Committee had met and recommended approval of the bill list. Commissioner Badri moved the following 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 Eastman and was unanimously ordered approved by a roll call vote.

Personnel/Procurement/Insurance

There was no report from the Personnel/Procurement/Insurance Committee

Operations

Mr. Sullivan reported that in the last labor negotiations the Authority had obtained the right to adjust the schedules of the enforcement officers. As a result there is now an enforcement officer working a Tuesday through Saturday schedule.

Solid Waste & Recycling

Mr. Dowd explained the resolution regarding Waste Management to the Commissioners. Mr. Wohlrab, of Waste Management spoke about the facility and stated that he would answer any questions the Commissioners had. Commissioner Kulish moved the resolution recommending 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 a Class C Recycling Center facility in Elizabeth, NJ. The motion was seconded by Commissioner Huff and was unanimously ordered approved by a roll call vote.

Mr. Sullivan explained the resolution to the Commissioners. Commissioner Erdos moved the resolution recommending by administrative action an amendment to the Union County District Solid Waste Management Plan pertaining to the Union County Recycling Center. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Mr. Dowd explained the resolution regarding PMUA to the Commissioners. Commissioner Kulish moved the resolution recommending an amendment to the Local Waste Agreement. The motion was seconded by Commissioner Erdos and was unanimously ordered approved by role call vote.

Mr. Dowd explained the resolution to the Commissioners. He also answered their questions regarding the settlement agreement that the Authority had with Eagle Recycling and its

current status. Commissioner Kulish moved the resolution authorizing the execution of an agreement with Lieze Associates, Inc. D/B/A Eagle Recycling of New Jersey to permit it to accept and Recycle Types 13, 13C, 23 and 27 solid waste generated within Union County and return all residue there from to Union County's designated disposal facility in accordance with the Union County District Solid Waste Management Plan. The motion was seconded by Commissioner Kulish and was unanimously ordered approved by a roll call vote.

New Business

There were no items of new business.

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) Delaware Hudson Railway/Transload America - Contracts*
- 2) S. Garg v Covanta - 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 Eastman moved the resolution for executive session. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:47 p.m.

Commissioner Erdos moved to return to public session. The motion was seconded by Commissioner Lombardo and was unanimously ordered approved by a roll call vote. The Authority returned to public session at 6:56 p.m. (Alternate Commissioner Bonanno arrived during the executive session)

Secretary Kennedy designated alternate commissioner Bonanno to act for Commissioner Jackus.

Report of Committees, Staff & Counsel – Public Session II

There were no reports.

Old Business/Unfinished Business

There was no old business

Public Comments by Commissioners/Freeholder Liaison Hudak

There were no comments.

There being no further business to come before the Authority, Commissioner Huff moved to adjourn the meeting. The motion was seconded by Commissioner Bonanno, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 6:57 pm.

Respectfully submitted,

Joseph C. Bodek
Clerk

Ed Jackus
Chairman

James Kennedy
Secretary