



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 20, 2012 Regular Public Meeting

Chairman Jackus 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 Jackus, Treasurer People, Secretary Kennedy, Commissioners Badri, Eastman, Erdos, Huff, and Kulish. Also present were Alternate Commissioners Bonanno and Lombardo. Vice-Chairman Kahn arrived at 7:05 pm.

Commissioners Absent: None

Chairman Jackus appointed Alternate Commissioner Bonanno to act for Commissioner Kahn.

Others Present: Daniel Sullivan, Tom Brennan, Jeff Hummel and William Neafsey of the Authority's staff; Kraig Dowd of Weber Dowd Law; Ed Trainia of CME; Kevin Conti of DeCotiis Fitzpatrick; Deputy Clerk Lisa M. DaSilva and Clerk Joseph C. Bodek.

Chairman Jackus led the Pledge of Allegiance.

Mr. Bodek provided Proof of Notice of the meeting.

Approval of Minutes

Commissioner Kennedy moved for approval of the public and executive session minutes of May 16, 2012. The motion was seconded by Commissioner Huff and was ordered approved by a roll call vote with all voting yes except Commissioners Badri, Erdos and Huff 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 & Budget

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

Personnel/Procurement/Insurance

Commissioner Erdos reported on the meeting of the Personnel/Procurement/Insurance Committee and the recommendations of the Committee regarding a contract for information technology services and a medical insurance benefits plan. Commissioner Eastman then moved the following resolutions: 1) Authorizing an addendum to the contract for the provision of information technology services; and 2) Authorizing the Authority's Participation in a new medical insurance benefits plan. The motion was seconded by Commissioner Kennedy and was unanimously ordered approved by a roll call vote.

Operations

There was no report from the Operations Committee.

Solid Waste & Recycling

Mr. Sullivan reported on the recommendations regarding an agreement with Evergreen Recycling Solutions for inclusion in the District Solid Waste Management Plan as an authorized materials recovery facility. Commissioner Kennedy moved the resolution authorizing the execution of an agreement with Evergreen Recycling Solutions, LLC to permit it to accept and recycle Types 13, 13C, 23 and 27 Solid waste generated within Union County and return all residue therefrom to Union County's designated disposal facility in accordance with the Union County District Solid Waste Management Plan. The motion was seconded by Commissioner Badri 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) Non-Processible Waste Disposal Services Agreement – Contracts*
- 2) Matters covered by the Attorney Client Privilege*
- 3) Potential 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 Kennedy and was unanimously ordered approved by a roll call vote. The Authority convened into executive session at 6:50 p.m.

Commissioner Huff moved to return to public session. The motion was seconded by Commissioner People and was unanimously ordered approved by a roll call vote. The Authority returned to public session at 7:30 p.m. (Commissioner Kahn arrived during the executive session and Alternate Commissioner Bonanno was excused during the Executive Session.)

Report of Committees, Staff & Counsel – Public Session II

Commissioner Erdos moved the following resolutions: 1) Terminating, for cause, the disposal services agreement that was awarded on November 9, 2006 to Delaware and Hudson Railway Company, Inc. D/B/A Canadian Pacific Railway, Inc.; and 2) 1) Authorizing the execution of an interim agreement by and between the Union County Utilities Authority and the New Jersey Meadowlands Commission for solid waste types 13, 13C, 23 and 27 disposal services; and 2) Recommending by administrative action an amendment to the Union County Solid District Solid Waste Management Plan to (A) reaffirm the prior inclusion of the New Jersey Meadowlands Commission landfill and disposal facilities in Kearny, New Jersey, as the County's designated facilities to which solid waste Types 13, 13C, 23 and 27 are directed, (B) include the interim solid waste services agreement by and between the Union County Utilities Authority and the New Jersey Meadowlands Commission for the disposal of solid waste Types 13, 13C, 23 and 27 disposal services, and (C) to direct all Union County Generated Solid Waste

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Types 13, 13C, 23 and 27 to the New Jersey Meadowlands Commission Landfill and Disposal Facilities in Kearny, New Jersey for disposal, pursuant to Regulatory Waste Flow Control. The motion was seconded by Commissioner Badri and was unanimously ordered approved by a roll call vote.

Old Business/Unfinished Business

Mr. Sullivan reported that he and Mrs. DaSilva had a meeting with the New Jersey Audubon Society who is very interested in using this site for a reclamation project involving plant species. Further details will be provided in the future.

Public Comments by Commissioners/Freeholder Liaison 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 Huff, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 7:35 pm.

Respectfully submitted,

Joseph C. Bodek
Clerk

Ed Jackus
Chairman

James Kennedy
Secretary